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Prejudice Speaks in the Mooney-Billings Case

by GEORGE P. WEST

Morris R. Cohen, Philosopher

by SIDNEY HOOK

The Chains of Chain Stores

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Farm Board Troubles

EDITORIAL

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The New REPUBLIC

A Journal of Opinion

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The Week

JUST when things looked darkest for Mooney and Billings, denied their freedom by Governor Young on the advice of the California Supreme Court and the Advisory Pardon Board, a new ray of hope has appeared. John McDonald, the most important of the perjured witnesses against them, has been found, chiefly through the activities of the Scripps-Howard newspapers. He is willing to go to California and appear at a formal hearing such as Governor Young has promised if there was an occasion for it. McDonald, the only person who testified that he saw Mooney and Billings put down a suitcase at the spot where the bomb explosion occurred during the San Francisco Preparedness Day parade, now again repudiates that testimony as he did nine years ago. He says that he never saw Mooney or Billings in his life until they were pointed out to him by police officials in the San Francisco jail, and that his testimony at the trial was a tissue of falsehoods in which he was coached by District Attorney Fickert. McDonald is prepared to furnish affidavits from reputable citizens of Baltimore that, however he may have acted in the past, he is now a sober, industrious and reliable individual, who has worked at his job of night telephone operator in an apartment house for six years without a night off. He is troubled in conscience by his share in convicting two innocent men. His new testimony, given in an open hearing, cannot fail to be impressive.

AT THE same time, it would be foolish for the supporters of Mooney and Billings to be overoptimistic because of this turn of events. The advisory opinion of the Supreme Court gives it as the judges' view that even if McDonald were shown to have perjured himself at the trial, the case against Billings is strong enough to justify a refusal to pardon him. The Court also considered McDonald's original recantation, made in 1921, and decided that he was actuated at that time by a desire for revenge against the San Francisco police because he had not been paid "the reward which he claims to have been promised." (Reward for doing what? The Court does not say.) It decided that McDonald's testimony at the original trial was correct, just as it also decided, in absolute defiance of the facts, that the prosecution had been honorably conducted. Study of the text of the Court's advisory opinion shows it to be much more bitter and opinionated than was suggested by the excerpts which appeared in the daily press. It is a farrago of bad logic, bad English and wishful thinking which clearly reveals the Court's predisposition of mind. Even Governor Young appears as the apostle of sweet reasonableness when compared with these wearers of the California ermine.

WHAT this country needs is not prosperity and employment for all. What this country needs is not a good five-cent cigar. What this country really needs, says Mr. Elihu Root in a letter to Mr. Ralph M. Easley, executive secretary of the National Civic Federation, is a special federal police force to protect us from the Red agitators who are seeking to overthrow our government. What we need is an American Cheka to hunt down

wicked Communists, just as wicked capitalists are hunted down by the Russian Cheka. All this will be news to the old-fashioned people who believe that secret police organizations are a tool of autocratic governments; that they were necessary in Austria under Metternich and in Russia under the tsars; that they are necessary today in Russia and Italy, but that they can be dispensed with by democratic republics like the United States. In democratic nations, the right of free elections at which the people can register their changed will is said to be a sufficient bulwark against revolution.

BUT perhaps Messrs. Root and Easley are right after all: perhaps this has ceased to be a democratic nation, and perhaps elections are no longer a practicable method for registering the popular will, which in any case is less intelligent and constructive than the will of Standard Oil, Electric Bond and Share, the Pennsylvania Railroad and the National Civic Federation. Should this be true, let us by all means have a secret police force to hunt down dissenters and demagogues. Let us give this Cheka new crimes to punish by making it an act of treason to be unemployed, to own less than two automobiles and three radios, or to pay less than ten cents per kilowatt hour for electric current. Let us make sales resistance a felony. Let us prohibit all public meetings unless they are addressed by a real-estate promoter and an organizer for the American Legion. But this in itself is not enough. In order that the American Cheka may function efficiently, let us scrap all legislation which might interfere with its success, and let us begin by repealing these ten subversive amendments to the Constitution which are known together as the Bill of Rights.

THE senatorial term of George W. Norris ends this year, and he is again a candidate, in the Nebraska Republican primary on August 12. There is a legend that Senator Norris is unbeatable in Nebraska, and if the voters always knew what was good for them, it would be true. Yet it must not be forgotten that he has made many bitter enemies during his career in the Senate, that these enemies have plenty of money, and that they would regard it as a sound investment if they could pour out a million or two and get in his place a Senator whom they could control. From Nebraska come disturbing reports that this is what they are trying to do. The charge is made, for instance, that newspapers are being bought outright by power interests in order to fight Senator Norris. If this is true, we hope the people of Nebraska are advised of it before the election takes place. We think they will know what answer to make.

ABOUT the middle of June, an important bank in Cincinnati, the Cosmopolitan, was forced to close its doors on account of its transactions with a Cincinnati plunger, Amor Shaefer, local representative of Henry L. Doherty and Company, who had lost heavily on his speculations. The Brotherhood of Railway Clerks National Bank, also in Cincinnati, was likewise involved in Shaefer's downfall, though to a less extent and without in any way affecting its stability. However, the closing of the Cosmopolitan, added to the general business depression, frightened the people of Cincinnati, and runs began on a number of banks, the Brotherhood institution among them. The Clearing House Association stood behind the other banks and helped them weather the storm; but when the Brotherhood institution appealed for aid, it was told to "go to the labor unions, and not to the bankers"—an attitude of hostility to labor banking which is usually less frankly expressed. The run continued and the Brotherhood bank was obliged, on June 26, to close its doors. The Comptroller of the Currency came from Washington and after a careful examination of the bank's condition pronounced it entirely solvent and returned it after a few days to the control of its directors. Because of liabilities in connection with Shaefer, which have yet to be decided in court and which at a maximum will amount to $500,000, it was decided not to reopen the bank under its original charter, but to sell it to the Central Trust Company. It is extremely unlikely that any depositor will lose a penny, and even the stockholders will probably be protected. Some of the officers of the bank were guilty of reprehensible conduct in connection with Shaefer, but the incident gives no ground for criticism of labor banking as such. Those who come out of it most badly are the officers of the Clearing House Association, who, on the face of the record, are shown to have discriminated against a labor bank.

THE election of Frank Porter Graham as president of the University of North Carolina offers the first encouragement to liberals that has come from the Old North State since the gloom which settled over them at the bloody suppression of the textile strikes at Gastonia and Marion. For Graham is one North Carolinian whose record in that business is clear. As a professor of History in the state university he might have claimed exemption from active service when industrial warfare broke out, but he did nothing of the kind. On the contrary, he denounced in unsparing terms the brutality with which the strikers were treated, and he wrote, and induced a hundred other North Carolinians to sign with him, the strongest, most uncompromising protest against the business that was made in the state. Yet, less than a year later, the University trustees —there are more than one hundred of them—not only elected him to succeed President Chase, but made the election unanimous over the objection of Professor Graham himself, who favored another man. Among so many trustees there must be some who disagree with President Graham's liberalism, but who waived their objections on the theory that courage and honesty are more important in a uni-

versity president than economic orthodoxy. Their action reflects more credit on the intelligence of North Carolina than anything else that has happened in years.

The Farm Board's Troubles

THE Federal Farm Board first became unpopular with the interests who feared that it would go too far in substituting coöperative for private-business marketing, public credit for ordinary bank credit. The United States Chamber of Commerce denounced it. Now it is antagonizing the farmers themselves. Mr. Legge asks Kansas to reduce its wheat planting, and makes an untactful remark about the biggest hog in the trough. Kansas replies angrily that some other section should do the reducing, asks the President to demand Mr. Legge's resignation, and recommends that the Board should buy, with the government's money, 100,000,000 more bushels of wheat, in order to raise the present low prices. Mr. Legge tells the Texas Panhandle to reduce wheat planting, and the Texas Panhandle says it is the premier wheat region and that reduction ought to begin elsewhere.

Those who are committed to the project of planned control of our economic life ought, it would seem, to sympathize with the Farm Board's efforts. We ought to advise everyone to be good and comply with the Board's program. But, as it happens, we have never seen much chance of success for this particular plan. The New Republic said so when Mr. Hoover proposed it during the campaign, and explained why. The experiment is behaving about as we feared. Economic control is indeed desirable, but if the credit of the movement is to be enhanced, the nation must be careful not to make too many half-baked experiments. It must go about the task with its eyes open, and as shrewdly as possible.

There are two main ideas behind the Agricultural Marketing act. One is emergency stabilization. When a year of temporary plenty produces a crop surplus, with resulting low prices, an agency created by the government is to buy this surplus and hold it for better prices, thus preventing too great a price depression. Soon there will come a year when drought or other misfortune causes a shortage, and the surplus previously bought can be sold at a profit. Its sale will prevent prices from rising too high. This is an admirable scheme for emergency relief—if we grant one assumption. The assumption is that the causes of the surplus are temporary and that a shortage will promptly follow. Applied to a crop which, year in and year out, is about equal to the demand, it might work well. The difficulty comes when it is applied to crops which show surpluses year after year, and are likely to continue doing so for some time to come.

The Farm Board began by using this method for wheat, the price of which has been falling for many months. It first lent money to a central marketing agency—formed by the coöperatives at its urging—with which to buy wheat from the member coöperatives at the pegged price of $1.18 a bushel at Chicago. When it became apparent that the agency was getting into deep water on account of continually falling prices, the Board formed a government-stabilization corporation to buy more wheat and help sustain the market. This corporation bought, in all, about 60,000,000 bushels. Yet, on July 11, the Chicago price of July wheat had sunk to eighty-seven and one quarter cents. Before that date the Board became timorous and stopped buying. Well it might. For, on July 3, the Bureau of Agricultural Economics of the United States Department of Agriculture issued a very bearish statement. While wheat prices might rise again temporarily, "the present prospect is that world wheat prices during the next seven years will average appreciably lower than in the past seven years." There is an accumulated surplus from the 1928 and 1929 carry-overs. The 1930 world crop will be "only a little larger" that that of 1929. There has been expansion of wheat areas and increase of yields all over the globe. Russia, before the War a large exporter, will probably become one again. Europe's domestic crops have been enlarged and she needs to import less. Population growth is retarded. Per-capita consumption of wheat is lower in many countries than before the War, and shows no sign of increasing.

Experts made similar analyses long before the Farm Board was created. They indicated that emergency stabilization alone could not stay the fall of wheat prices, and that any magnificent attempt to do so would be both futile and disastrous to the pocketbook of anyone who put up the money. And much the same prospect faces almost all the other important products of American agriculture. Mr. Hoover, who could not grasp this simple idea when it was pointed out to him in theory, is now learning it in the hard school of experience. If the government should follow the Kansans' advice and buy 100,000,000 bushels more at present prices, it might possibly make a small profit at some future slight upturn of the market, but it could not stop the long downward drift. The causes of the surplus are not temporary.

The other idea behind the act was to apply in agriculture a successful business method by accomplishing mergers of farmers—forming great coöperative associations which could play the part played in other markets by large business corporations. Such corporations shorten channels to the consumer, exert control over prices, restrict production when prices fall to unprofitable levels. In pursuit of this object, too, the Board has gone to work with a will. It has virtually forced the existing coöperatives in wheat, cotton and other crops to create central marketing agencies, it preaches the gospel of business coöperation and is now urging restriction of production. Clearly, cutting total

output must be the basis of the great readjustment which American agriculture is being forced to make. Nothing less than that can equate supply and demand at a generally profitable price. If no conscious control were attempted, output would eventually be reduced only by bankruptcy of millions of farmers and the return of cultivated land to wilderness. Conscious reduction might turn the laws of supply and demand to more humane ends.

The failure of the Board in this praiseworthy aim is decreed by its lack of understanding of the deep-seated differences between agricultural coöperation and big business, and its facile faith that coöperatives can be created overnight from above by high-pressure salesmanship. No highly competitive industry consisting of a great many relatively small units has ever been able to achieve voluntary limitation of production. If it could do so, the way to success would not lie through the superficial methods peculiar to autocratic business. In business, authority is centralized through ownership. When a successful merger is created, the promoters merge the ownership and authority of the best situated concerns, those with the lowest costs and the best markets. There is not merely an attempt to raise prices to cover costs, but often an effort to reduce costs to fit prices. The marginal competitors with the higher costs are left to get along as best they can. But a producers' coöperative is a voluntary society of a large number of individuals who do not surrender their authority or ownership. All can join. Their costs and abilities vary widely. If they are to act effectively as a unit, they can do so only as the result of a long process of learning, only by the development of a high degree of mutual confidence and loyalty. Mere agreement to market their products through a common agency, brought about by promises of immediate economic gain, can furnish neither the requisite education nor the requisite loyalty.

The farmer who, with plenty of cheap land and mass-production methods, can grow wheat at a profit even with present prices, and can make more profit the more he grows, is not likely to restrict his planting because Mr. Legge tells him other farmers will benefit if he does. Kansas will pass the buck to the Panhandle; the Panhandle will pass it back to Kansas. As prices fall and farmers go bankrupt and their farms are sold under the hammer, more and more cheap land will be waiting to come back into low-cost production and further to depress prices. The more efficient units will survive and may even prosper as new ways of cost reduction are applied, while the less efficient are constantly turned over or eliminated until, in some distant future, supply is adjusted to demand at a moderately remunerative price. This is the way of competition, which would persist without any farm board. It is difficult to see how Mr. Legge's campaign for coöperative selling and voluntary acreage restriction can affect it.

We can imagine a radical and fundamental farm-relief program which might really control this process. Such a program would begin with a scientific land policy. It would decide which lands and which farmers were really needed for production; the other lands it would condemn for public forests or recreation grounds, and the surplus farmers it would compensate and ease into other occupations. The lands retained it would reorganize into cultivation by efficient methods. It would end hopeless tenancy. It would build farm communities capable of coöperation, from the small unit up to the national marketing association. It would pay as much attention to the social and esthetic aspects of rural life as to the strictly economic.

Short of such a radical program, the best we can do is to wait for a possible but slow growth of efficient production and loyal coöperation as the farmers learn it from their own experience, or for the reorganization of agriculture which business enterprise may invent. And while we are waiting, we must be prepared for many grinding years of readjustment.

The Federal Farm Board may indeed leave traces of institutions which will be useful. Thwarted in its main endeavors, it will doubtless make minor contributions. It is better to have had this effort than to have had nothing, because it helps our education. Nevertheless, Mr. Hoover's brand of farm relief, like a great many of his superficial and pseudo-scientific remedies, is fizzling out. He has, as was predicted, raised the farmers' expenses by a boost in industrial tariffs, without being able to raise the prices received for the main farm products. He has vigorously rejected the one measure which might have furnished emergency relief under a protective policy—the export debenture, which would have been a frank subsidy to dispose of the exportable surplus and temporarily raise domestic prices. But he has no sufficiently radical blueprint for permanent reorganization. If we are to build a planned economy, we must have better planning than this.

Stalin as the New Lenin

THE defeat which Stalin, secretary-general of the Communist party, inflicted on the leaders of the Right Opposition at the Sixteenth Congress of the party, in Moscow, must be viewed with peculiar irony by the exiled Trotzky. Less than three years ago, the Fifteenth Congress of the party denounced the views of Trotzky and his associates, spokesmen of the Left Opposition, as incompatible with membership in that party; today, a verdict couched in identical terms is directed against the Right Opposition. In 1927, as in 1930, the men brought to the bar of Communist justice were found guilty of "deviations from the party line"—the policy which Lenin had formulated, and of which Stalin, the master's self-appointed disciple, has constituted himself the sole official interpreter. The revolutionary drama maintains the classic

unities. The retractions of the Right leaders, however, have saved them from Trotzky's fate. Rykov remains a member of the Political Committee of the party, while Bukharin and Tomsky have been reëlected to its Central Committee. Stalin has apparently found it expedient to deal more generously with political opponents who are either less dangerous than the Left Opposition, or enjoy a greater popularity with the rank and file of the party. For the present, at least, Stalin has refrained from effecting the political shake-up predicted by reports from Moscow, as a result of which, it was claimed, he would emerge from his relatively obscure position to assume the office of president of the Council of People's Commissars once held by Lenin, and now occupied by Rykov.

Had these predictions been realized, Stalin would have merely donned the outward trappings of a power he has exercised since Lenin's death in 1924. A professional revolutionary, described by Lenin in his political testament as "crude and narrow-minded," Stalin was brought up in the hard school of underground revolutionary activities, where he became a shrewd judge of character and learned the secret of utilizing the loyalties of men of lesser ability for his own ends. He played no spectacular part in the November revolution. With great patience and by methods which, to the moralist, would appear highly unethical, he succeeded in so enlarging the scope of the originally unimportant office of secretary-general of the party as to make it the stepping-stone to dictatorship. He has created a pyramid of power, in which the Communist party, which numbers less than two million members, guides the destinies of the "dictatorship of the proletariat," wielded in turn by three million industrial workers over some one hundred and twenty-five million peasants. Within the party itself, he has established the undisputed control of a small steering committee, the Political Bureau, over whose decisions, by means of manipulation and judicious expulsions, he rules like an eastern despot. The government of the Union of Soviet Socialist Republics functions in the shadow of, and at the mercy of, the party hierarchy, and the actions of even the highest government officials, such as Kalinin and Rykov, are subordinated to the policy of the party. The secret of Stalin's success in maintaining the dictatorship of an infinitesimal minority in the teeth of opposition both from the Left and from the Right appears to lie in his ability to gauge the exact degree of strain which the country is able or willing to bear, to alter his course suddenly in order to meet new exigencies, and to adopt the methods advocated by his defeated opponents when he considers it opportune.

Stalin's agrarian policy best reveals the quality of the man. In 1927, when agricultural production was at so low a level as to threaten the further development of industry, on which the maintenance of the "dictatorship of the proletariat" was made to depend, Trotzky sought a solution of the agrarian crisis in intensive collectivization and the suppression of the *kulaks,* the "rich" peasants. The Communist party, guided by Stalin, rejected this solution on the ground that the time was not yet ripe for extreme measures, and gave its approval to Stalin's agrarian program, which called for encouragement of agricultural coöperation as a first step toward collectivization, and for simultaneous limitation of the activities of the *kulaks.* The inauguration in 1928 of the agricultural program of the Five Year Plan, which made provision for expansion of state and collective farms over a period of five years and for the improvement of agriculture on individual farms, coincided with repression of the *kulaks* by means of discriminatory legislation. The measures adopted by the government against the *kulaks* were criticized by the Right Opposition, which claimed that they threatened to reduce agricultural production and to create hostility on the part of the peasants. The results, however, of the harvest of 1928-29, the first year of the operation of the Five Year Plan, revealed a development in the production of state and collective farms which, in the opinion of Stalin, made it possible to proceed with the suppression of the *kulaks* in the manner advocated by Trotzky in 1927.

In consequence, early in 1930, Stalin launched a drive for "complete collectivization" and the "liquidation" of the *kulaks.* In various regions the extreme measures adopted by the local authorities to carry this program into effect provoked opposition on the part, not only of the *kulaks,* against whom it was directed, but of other peasant groups as well. Aware that collectivization effected against the wishes of the peasant masses would produce negative, if not disastrous, results, and would weaken the position of the Communist party, Stalin, in March, 1930, called a halt to collectivization, despite reported opposition on the part of his more extreme adherents. In his report to the Sixteenth Congress, Stalin pointed out that this spring collective farms have surpassed the estimates of the Five Year Plan for 1933, and that the pessimistic warnings of the Right leaders had conjured up nonexistent bogeys. The party, he said, in the face of these achievements, "demands from the leaders of the Right that they recognize that between their line and the line of the party lies a deep abyss, and that their line leads to restoration of capitalism. The party demands that they confirm their declaration by their activity, otherwise it will continue a resolute struggle against them."

To those who at various times seek to interpret Stalin's actions as indicating a turn to the Left or to the Right, there is only one answer: primarily an opportunist, Stalin has few or no principles of conduct, and is ready to apply extreme measures today which he will relax tomorrow, if necessary. The preservation of the power of the party—the

"party bureaucracy," as it has been described by Trotzky—appears to be of paramount interest to him, and this purpose determines his decisions at any given time. Relying on his intuition and his profound knowledge of men and affairs in Russia, he has so far succeeded in steering the ship of state between the Scylla of the Left and the Charybdis of the Right Opposition. Time alone will show whether he can maintain this course without disturbing the present balance of political and economic factors in the country.

Norris Saves the President

THANKS to the intervention of Senators Norris and Borah, President Hoover has been saved from a stupid blunder which might have endangered ratification of the London Treaty.

Before the Senate began to consider the Treaty, the prospect for its confirmation was good. The country, while disappointed that the high hopes of reduction aroused by Hoover and MacDonald had not been fulfilled, was on the whole satisfied that the Treaty was about the best that could have been obtained and constituted a step to future progress. The professional big-navy crowd, the trouble-makers like the Hearst papers and The Chicago Tribune, were not making much headway. A large majority of the Senators, though not enthusiastic, were listed as favorable.

In these circumstances the only possible strategy of the opposition was to play the shrewdest kind of politics. Their first move was to work for delay by objecting to the extra session, and when their plea was denied, to attempt to capitalize the discontent of Senators lukewarm in spirit but perspiring in body, who did not want to spend the summer in Washington. By maneuvering this issue they hoped to widen the antagonism already existing between the President and the Senate. The next move was to magnify the importance of the "secret documents." These memoranda of informal conversations could not be released for publication without possible embarrassment to the representatives of this or other countries.. We have no doubt that members of our delegation and President Hoover were entirely correct in stating that there is nothing in them which would modify in any respect the formal agreement arrived at and submitted to the Senate. Even if there were, such a private understanding could not, under the Constitution, have any binding force. Nevertheless, refusal to publish them could be utilized to arouse suspicion. It could be made to appear that the dignity of the Senate was being slighted if the President failed to share full knowledge of them. And it could be plausibly argued that Senators were betraying the confidence of the citizens if they should accept inspection of the documents under a pledge not to inform the public of anything they might contain. With those oversensitive groups in the nation who are always inclined to be suspicious of foreign wickedness or diplomatic trickery, the issue of the documents could be utilized to obstruct ratification.

Senator Norris, who is a staunch friend of peace and disarmament, and who favors the Treaty, thereupon hit upon a device to soothe the Senators who were played upon by this trick, and to take the wind out of Senator Johnson's sails. Why not simply attach a reservation saying explicitly that the Senate was not ratifying anything not contained in the text of the Treaty? This would save the senatorial dignity, and it was in accord with the facts as stated by President Hoover. Logically, such a resolution might be redundant; politically, it was good strategy for the administration. Nevertheless, President Hoover, in consultation with the Republican regular cohorts, was reported to have rejected it as an affront. His extraordinary sensitiveness, his disposition to convert political controversy into personal insult, was leading him into just the sort of blunder on which the Treaty opponents were counting. If the President would not even let the Senate attach a reservation which would explicitly rob the secret documents of any force they might be assumed to have, there was indeed something to justify suspicion! Several formerly favorable Senators were reported to be ready to vote against the Treaty without this harmless reservation.

But, at the last moment, after consulting with Senator Borah, Mr. Hoover saw the light. If the introduction to the resolution, which contained the words displeasing to his dignity, was eliminated, he would not object to the substance of the matter. And since Senator Norris's object was not to insult Mr. Hoover, but to show that passage of the Treaty was compatible with the Senate's prerogatives and was irrelevant to the secret documents, he was perfectly willing to eliminate the "whereases" which offended the President. Thus, under pressure from Senators with whom Mr. Hoover will only reluctantly coöperate, the London Treaty is floated off the shoals and started again for prompt ratification. We hope its opponents will not be able to invent another equally formidable trap for Mr. Hoover.

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The Philosophy of Morris R. Cohen

IF AMERICAN life lacks a significant, indigenous culture, not least among the reasons therefor is the absence of significant critics. This may sound paradoxical to those who feel that the proper function of criticism begins only when the fever of inspiration ends; that the discipline of counsel and analysis is effective only after poet and philosopher have spoken. Criticism, it is said, follows culture; it does not create it. Reflection will suggest, however, that a babble of voices more readily consummates a confusion than clarifies a meaning. Abiding harmonies in life and art are not won by spontaneous feeling, but by patient and accurate expression which seeks to purify feeling of its vagueness without pruning it of its richness. Creative visions of the new and strange and "fancied true" find outlets for their elemental urge at all times and places; but only under the atmospheric pressure of a sensitive critical tradition are we likely to avoid the bizarre, the decadent, the trivial and the brash into which the quick and vital impulses so often run out. A genuine critical tradition helps *to make* creation significant; its task is not merely to recognize such creation, when once it is achieved, as a chance variation in a riot of creative action. Criticism not only makes art significant, but all life and thought as well; and American culture lacks genuine significance because it lacks genuine criticism. Its critical voices have not yet made themselves heard above the din and clack of strident self-adoration from the right and empty denunciation from the left.

In the realm of critical American thought today the foremost place goes unquestionably to Morris R. Cohen. Born fifty years ago in a small Russian village, he has managed in the face of tremendous odds to become the critical conscience of all intellectual effort in American life. Honored for his candor, his scholarship and critical insight, his philosophical colleagues with a true gesture of piety to the spirit of intelligent dissent recently conferred upon him the presidency of the American Philosophical Association. As this indicates, he has influence; yet he has no following. His refusal to think in terms of the "old" or the "new" has isolated him from all social movements which put slogans of loyalty—be it to country, cause or class—above the essential radicalism of critical thought. One of the most inspiring teachers in America, he does not seek to make converts or disciples of his students. Every position is to be understood in the light of its consequences. Intelligence is knowing what it is that one really means.

In the cross-currents of contemporary American life, Cohen stands conspicuously alone. He is as far removed from the dead traditions which linger on in this age of standardized radio pieties as he is from the tepid and bored rebellion of the literati who are unconsciously echoing the cry of the early German romantics, *"Die Tugend des Menschen seine Originalität sei."* As a champion of the method and life of reason, neither conformity nor originality has intrinsic value for Cohen. To appraise life by standards derived from the cult of quantity and authority, into which the tradition of official, conservative America has been transformed, is no more intelligent than is judging a man's head by the number of hairs it produces. Nor is the desire for mere change and movement, which marks current moods of revolt, any more satisfactory. Blind impulse with no standards of the better and with no consciousness of direction lives on the same plane as blind habit. Uncritical impressionism shares all the vices of authority, adding a few of its own. And so for one who insists upon order in our thinking and clarity in our feeling, the ungrateful task remains to bring his contemporaries to self-consciousness. He must play a civilizing role in softening the prejudice of age which thinks that when it goes all that is worth while ceases, and in tempering the passion of youth which imagines that with it the world begins. In his criticism of the leading schools of metaphysics, in his analysis of moot questions in legal philosophy, science and social ethics, Morris R. Cohen has defended the true radicalism of thought—espousing the rights of reason against the oppression of authority, the irresponsibility of intuition, the vagueness, obscurantism and hidden absolutism of immediate experience, natural or supernatural.

Cohen's criticism is based upon ultimate insights into the nature of existence and man. But its primary incidence is negative. His writings have consequently bewildered those who have sought to understand him only in the light of his negations. It has been naturally assumed that his rejection of absolutism committed him to radical empiricism; his denial of mechanical jurisprudence, to trial-and-error positivism; his strictures against authoritarian ethics, to an anarchistic temporalism; his repudiation of a priori rationalism, to an uncontrolled subjectivism; his biting attack on the twin methodological frauds of psychoanalysis and behaviorism, to a crusade for faculty psychology. Human beings tend to think in fixed dichotomies, and when Cohen turned around to analyze the inadequacies of views opposite to those he had just been criticizing, their proponents referred to him, in high compliment, as the "devil's advocate." Although enjoying the masterly skill with which he plays counterpoint, they have wondered, withal, whether his affirmation included anything more than

the love of dissection of other people's ideas. They have overlooked the fact that it is precisely by this method of intellectual counterpoint that Cohen hammers out his positive themes. "The opposite of a false view," he reminds us, after Bradley, "may be every whit as false." And "truth" is that to which we approximate when we have examined the confusions and errors bred by too sweeping denials of other confusions and errors.

Cohen's conception of philosophy distinguishes itself from the prevailing tenor of current ways of thought in its insistence upon the autonomy of the philosophical enterprise. Philosophy as an apologetic for the existing order or as an instrument for social salvation seems to him to involve a betrayal of its intrinsic purposes—a survey of the human scene against the vast background of cosmic forces, an attempt to discover and evaluate the ideal possibilities of human life and a quest for emancipation from the immediate compulsions of vain and petty moods. Philosophy as an indirect apology for social oppression and religious superstition—and an appreciable portion of American philosophy is still that—is pathetically futile. It forgets that the attempt to defend the questionable with arguments that are even more questionable is often the first and most fundamental cause, as the history of theology shows, of doubt and unbelief. On the other hand, a philosophy excessively preoccupied with problems of human welfare likewise forgets that the passionate pursuit of disinterested truth may lead to more genuine social enlightenment than narrow zeal for goals dictated by unreflective sympathy rather than by sympathetic reflection. Above all things, the philosopher "must critically examine and disinfect his instruments, lest he infect others with his own passionate errors." For philosophy can truly help only those who can think. It cannot bake bread, or quicken the dead, or restore vision to those who are blind.

The faith of the critic, then, is the faith in the supremacy of reason and devotion to logic which is the grammar of reason. To say that reason is supreme is not to say that reason is all-sufficient. We can never, for example, dispense with all authority or tradition. But only reason can determine its proper place and function. Nor can anything great be accomplished without passion, as even a panlogist like Hegel realized. But only reason can give the critical discipline through which passion achieves greatness. Critical rationalism is as hostile to the vicious intellectualism of the past, which sought to legislate for the world without adequate knowledge of it, as it is to its daughter, the ebullient romanticism of the present, which seeks self-escape instead of self-knowledge. This emphasis on criticism does not dull the will to live. It does not lead, as many mistakenly believe, to quietism and inactivity. "Suspended judgments," Cohen has taught, "are achievements of intense reflection, not of indolence." The dogma proclaimed by will-to-believe philosophies, that men act effectively only when they believe they have a corner on the truth, is the sheerest prejudice. Ice may burn as well as flame; cold analysis, as well as fiery declamation, may move to action. The actions will differ primarily in the quality of their intelligence. Ignorance, not true knowledge, is foolhardy and presumptuous; passion, not reflection, courts disaster. "The unutterable miseries and wretchedness of mankind should emphatically silence the claim that natural ignorance and unreflection is the road to blessedness."

Cohen's rationalism is not a terrorism of reason attempting to force natural intractabilities into one formula. The life of reason is not the same as a reasoning life. It knows that the specific facts of existence cannot be deduced from merely logical considerations, that the human heart is often inconstant to its own ideals, that most attainment falls far too short of aspiration. It recognizes the irreducible element of contingency which enters into every experience, and realizes that wisdom consists in accepting what cannot be other than it is, in order to alter what can. "It is of the essence of reason and its chief glory that in the form of critical scientific method it determines its own limitations, which is something none of its rivals or pretended substitutes can achieve."

The power of reason lies in the knowledge of its own limitations. It knows that the world is not all of a piece, that nature is more than can ever be said of her. Its insight saves it from accepting a monism of principle or from attempting to reduce the many-faceted aspects of life to one category. Cohen has set himself the task of recognizing problems before attempting to solve them. In fact, the fundamental metaphysical problems are such that recognition of their structure and implications constitutes the only intelligible sense in which we can speak of a solution of them. The most fruitful of the principles of metaphysical discovery and criticism is the principle of *polarity*, which asserts that all the basic philosophical problems and situations are resolvable into balancing or opposing elements, mutually implicative and yet indissoluble in their opposition. The source of all bad thinking, in philosophy as well as in ordinary life, can be traced to the tendency to take one of these elements as the sole or most important factor in the relationship and to interpret all else in terms of it. A few examples: To sacrifice the rich diversity of actual experience upon the altar of unity is the converse error to overlooking the thread of identity upon which the beads of plurality are strung. To convert, as the idealists have done, all objective differences between things into manifestations of some consciousness, spelled in small or large letters, is no wiser than to reduce consciousness, with all its inner life, to another kind of thing, as the behaviorists have done. To sneer at matter in the interests of pure form, or to attempt

to prove that any existence is no more than the intersection of an infinite number of essences, is little different from sinking oneself in an undifferentiated content that has no form, or from attempting to explain essences away as mere names attached to temporal events. The identification of the "ought to be" with "what is" is as foreign to true morality as the absolute divorce, in otherworldy morality, between the real and the ideal. To affirm that all is one and nothing changes has precisely the same meaning and is just as inadequate as to proclaim that all is change and nothing is constant.

Here, then, we have the positive source of Cohen's critical attitude. Every concrete situation is a whole involving the correlation and interpenetration of many aspects or parts. The failure to take parts in their interrelation and context results in regarding the component parts as independent wholes of which the other parts are elements. The strife of philosophic systems has been largely due to the tendency to convert relative distinctions into absolute separations, to stretch the significance of one category until it includes the denotative range of its opposite, to go from the expression of one's own vision to the denial of the vision of others. Cohen's criticism, therefore, does not represent an eclecticism which bridges difficulties with "ands" and "alsos." It is based upon the deep feeling that the knotty and poignant problems of being and experience exhibit a democratic plurality and conflict of principles which can never be finally solved, but which must continually be re-solved by every age and by every mind. It is based upon deep faith in the power of discursive reason to effect these resolutions.

Metaphysical issues are central in Cohen's philosophy. But his greatest merit lies in showing how they are involved in the specific problems of logic and physics, of law and esthetics, of history and ethics. Only fugitive mention can here be made of problems treated with incisive clarity and brilliant erudition in the pages of technical journals. (Cohen's learning is both the amazement and despair of all who know him.)

A great deal of present-day subjectivism in philosophy and extreme individualism in social thought can be traced to the nominalistic tradition in Anglo-American thought represented by Hume and Mill. But Hume's reduction of the external world to a series of mental impressions and his attack on the principle of objective causality are shown to involve the illicit assumption that knowledge of the contents of one's own mind is possible without antecedent knowledge of an outer world and of other minds in that world. There is no mind outside a physico-psychical-social continuum. The controversy between a priori intuitionalism and sensationalistic empiricism in the philosophy of mathematics is outflanked by showing that the fruitful character of mathematical inquiry is dependent upon the objective existence of implications grasped in demonstrative reasoning by a series of intellectual intuitions. The question of the scientific justification of the hypothetical or abstractive method in mathematical physics, i. e., the validity of a physics of pictures and models as against a physics of principles and equations, is illumined by noting that our equations represent invariant relations which are actual constituents of the world although not identifiable with the material elements of that world. This insight applied to Einstein's method has brought warm approval from Einstein himself. Against the incurable difficulty of all idealistic theories of ethics, which from purely formal considerations attempt to derive material principles of justice, is counterposed the positivist error, which in its haste to banish the normative element from ethics and reduce it to a phase of descriptive sociology, unconsciously glorifies the status quo in all its iniquity. Cohen offers a proof that ethical idealism and positivism are as necessary for intelligent living as are both our jaws for eating. Although moving in different directions, they serve the same function. In law, the reliance upon rules in the interests of certainty, unless tempered by principles of equity, will inevitably result, in the face of an ever expanding social life, in making judicial administration uncertain.

And yet, insistence upon judicial discretion and individualization of punishment in the interests of justice, unless accompanied by reliance upon rules, will lead to an anarchy of personal judgment in which caprice defeats the principle of justice. The important question of corpo ate personality, which has provoked volumes from the metaphysical ultra-realists, with their hypostases of functional relationships into fixed entities, and other volumes from the ultra-nominalists, with their refusal to recognize anything but physical bodies and mental states, has been clarified by Cohen in one of his inimitable sentences, "Two oxen create a team—not another ox." In life and letters at large, heresy is a revolt against a cramping convention which originally served a useful purpose; but heresy cannot prevent itself from disintegrating into other heresies without its own fixed conventions. If the current convention is the old heresy and the current heresy the new convention, it is absurd to argue the merits of convention and revolt in general. Yet so much of literary criticism is just that.

In all of these concrete instances, Cohen illustrates how a recognition of the principle of polarity enables us to avoid the monistic mania of the either-or mentality, and yet to approach the twilight zones of existential indetermination without abandoning rigorous formal logic. True to its own meaning, the principle of polarity does not claim to be sufficient in itself, either as a method of discovery or of explanation. It is complemented by the principle of causality. "If the principle of causality makes us search for operating causes, the principle of polarity makes us search for that which prevents them from producing greater effects than they do."

Although the dominant motif of Cohen's thought is rationalism, it is a rationalism built on naturalism, not opposed to it. And yet a great many things that are natural are not recognized as rational or desirable. In a peculiar and intimate way, Cohen's naturalism is combined with historic idealism. This is achieved by distinguishing between time as a category of existence and eternity as a category of essence. The source and origin of all human activities and ideals are the processes of material change, but the meanings of those activities are not relevant to spatio-temporal contexts. "The meaning of any motion does not itself move," for the realm of meanings contains the criteria and standards by which what moves is judged, measured and redirected. To confuse the categories of essence and existence by eternalizing the flow of events, or temporalizing the invariance of meaning, is to invite philosophical disaster—yes, even social ruin. For, if the "brute given" is endowed with normative quality, then whatever just happens to be claims a fixed and jealous sovereignty over the changing desires of the human heart. Arbitrary accident establishes an oppressive and "impossible" compulsion upon its own history. On the other hand, if the meanings in terms of which man evaluates temporal life are themselves temporalized, then one moment's thought knows not its own consequences, and the acts of today give the lie to our promises of yesterday. All rational synthesis, all purposeful constraint, are swept away in a dizzy whirl in which every instant of time is its own absolute.

The truly experimental life is one which is at the same time truly spiritual. It tests the relevancy of the spiritual ideals of the past, not by its institutional expressions and empirical history, but by its actual fruits in present living. In such a life the ideal must never be identified with what the actual world contains, but with what that world suggests. In such a life there must be many things dearer than life itself. One might accept all this and yet feel that the sharp separation which Cohen introduces between time and eternity is not justified in terms of the principle of polarity itself. He has yet to do justice to the metaphysics of the time process.

A tinge of pessimism, characteristic of the most sensitive spirits throughout the ages and reinforced by the accidents of biography and health, colors Cohen's thought. Life at most is a second-best thing. Faced by the inevitable and ineradicable evils of ignorance, suffering, frustration and death, human beings do wisely to cultivate an element of resignation in a world in which they had no making and in a birth in which they had no choice. A progressive politic can surely make life more human, but not even a progressivist metaphysic can remove the natural evils to which all human life is heir. The greatest good man can win from a universe neutral to his hope and despair is the serenity born of understanding and renunciation. Cohen himself freely admits that in this we have an expression of temperament which, though nurtured by dialectic, is beyond the test of dialectic. He sometimes forgets, however, that it is only this temperamental difference which separates him from some current philosophers with whom, in gratuitous temper, he most sharply takes issue. Peace may be found in intelligent social activity as well as in solitary contemplation. And if philosophy is a way of life, as Plato and Aristotle taught, then the good life cannot be attained, save by him who is more than man or less, outside of the good society.

Cohen sometimes uses the language of otherworldliness, but he has no sympathy with any religion which regards man as the climax of a cosmic drama whose dénouement reveals some divine plan. In an age in which every person feels called upon to stick his thumb into the pie of modern science and pull out another proof of human immortality or the existence of God, Cohen reminds us that true spirituality is more readily attained by a life of charity and intelligence than by subjective and arbitrary logic. Only that which never was, can always be. As opposed to the scientific apologists of supernaturalism, who sin against the light of their own method, he insists that they cannot cover the inconclusiveness of their arguments and the poverty of their results "by the venerable use of capital letters, so that a belief in Something is deemed sufficient for a book on the philosophy of religious experience."

A skepticism which is critical and smiling toward all wild claims and gallant faiths may still be reverent and humble before the inexhaustible courage and selflessness with which man pursues his ideals. It is antipodal to the current cynicism, so often the parade dress of philistinism, which decries the pursuit of all ideal goods in order to make more secure the material goods which it already possesses. For an enlightened skepticism, the tragedy of human life is not that it is accepted, but that it is accepted on any terms. In its eyes defeat is a lesser evil than cowardice and apostasy to our own vision.

SIDNEY HOOK.

The Brier Goes in Scarlet

The brier goes in scarlet;
All day the east wind blows;
The east wind has my heart;
The grave holds the rose.

The east wind has my heart,
And thrusts it there and here,
Tears it, and sets it loose
Upon the bitter year.

What roof will take it in?
Or what bed let it lie?
A battered, weary heart,
That is like to die?

LIZETTE WOODWORTH REESE.

Prejudice Speaks from the Bench

The Court's Decision in the Mooney-Billings Case

WRITING only a few days after the California Supreme Court decision in the Billings case, one already feels that incredible document to be of merely historical interest, taking its place in a file of happenings so bizarre as to suggest sardonic gods pulling the strings to expose the vanity of our pretensions as a rational species. Already the word is "Forward."

This is not to minimize the decision's crushing power to delay justice and confuse counsel. It has left "the public" more apathetic and inarticulate than ever. There has been no discernible excitement, not even much interest, and what talk is heard at lunch tables and street corners comes from those who believed the men guilty. Others are either shaken in their contrary opinion or abashed into silence by the voice of the state's highest tribunal.

For the small group of editors, lawyers and publicists who have led the fight for pardons, the sensation of hearing the voice of the dull and prejudiced crowd speaking in the august tones of the Supreme Court was utterly stunning for the space of forty-eight hours. Men without illusion as to the processes by which mediocre small-town lawyers, saturated in the folk-prejudices of their communities, attain seats on the bench, awoke to realize that they had clung to what now seems a naïve faith that human intelligence would inevitably function when once the facts of the Mooney-Billings case were faced by any seven men of sound mind and even an elementary training in separating fact from prejudice. Overconfidence resting on this faith is seen, too late, as the fatal mistake which left the Court without guidance except for the petition and exhibits prepared in person by a self-educated man who is completing his fourteenth year in prison. There was no lawyer-like presentation of the simple and unanswerable evidence demolishing the case against Billings, and this was so not only because Billings rejected the offers of friendly attorneys, but because no one dreamed that the Court could come within hailing distance of the facts in these cases without quickly recommending a pardon. It must be remembered that California procedure has until now prevented the Supreme Court or any other judicial tribunal from going outside of the official record of the trials themselves. It was beyond imagining that when the Court was at length free to consider every fact, it should have seized upon Billings' ill advised request as an excuse for confining itself to his own hastily prepared and inadequate petition.

But I have said that all this has already become of merely historical interest. Once we dismiss our high hopes as overconfidence, and put out of mind, if we can, the terrible shock suffered by two battered human beings so strangely miscast for tragedy, the decision of the Supreme Court can be seen as progress. For it admits perjury after perjury and it wipes out all the testimony which if true would convict Mooney and Billings, except that of John McDonald. And his testimony remains an exception only because the Supreme Court incredibly overlooked and ignored documentary evidence of admitted validity which demolishes it. Having ignored this evidence, the Court discredited his own confession of perjury and seized upon the flimsy word of this illiterate migratory waiter, hungry for reward-money, as the bulwark of its decision to doom two men to spend the remainder of their lives in prison as murderers.

The documentary evidence which the Court ignored is the existence of photographs showing Mooney watching the parade from the roof of a building more than a mile up Market Street from the scene of the explosion. There are three separate negatives, with Mooney plainly in the foreground, and with street-clocks in the background fixing the time at 1:59½ P. M., 2:02 P. M. and 2:04 P. M. The explosion occurred at exactly 2:06 P. M., more than a mile away, and McDonald swore that he saw Mooney and Billings within a few feet of the scene a few moments before the bomb went off. He fixed the interval by testifying that after watching Mooney cross Market Street he turned and walked to a restaurant eighty-five feet away, and that the bomb exploded as he got there.

The photographs were taken by Wade Hamilton, a civil engineer, unknown to Mooney, and by him the negatives were turned over to the police within a week of the explosion. District Attorney Fickert and his aids suppressed them during the Billings trial, and when the defense learned of their existence through an anonymous letter from a policeman; when it at length obtained the negatives and had them enlarged, it was too late to use them either in affecting the Billings verdict or in supporting the motion for a new trial. Jubilant, the defense prepared to use them at the Mooney trial. Knowing this, Fickert had McDonald change the time when he saw Mooney and Billings. But on cross-examination McDonald was forced back to his original testimony before the grand jury and

at the Billings trial: that he had watched Mooney up to a few moments before the explosion. Realizing then, if the Supreme Court does not now, that McDonald's testimony could not convict a yellow dog, Fickert produced the witness Frank Oxman. It was his testimony that convicted Mooney. This is affirmed by the jurors and by Franklin A. Griffin, the trial judge, and there is no question about it. A few weeks later, Oxman in turn was exposed as a perjurer. Fickert had to drop him and go back to McDonald as his chief witness in the trials of Mrs. Mooney and Israel Weinberg, both of whom were acquitted. The Supreme Court now rehabilitates the wretched McDonald and builds the case on his doubly demolished word. It refers to his testimony at the Mooney trial and declares that it was unshaken on cross-examination! Its decision does not even mention the photographs.

This reliance on McDonald was too much for Governor Young, and in his statement denying a pardon he promises a hearing to any further evidence impeaching his testimony. He suggests to the Supreme Court that it keep a similarly open mind. McDonald, by great good fortune, has just been found in Baltimore. At the risk of prosecution for perjury, he is willing to come to California and explain to the Supreme Court and Governor Young how and why he gave his false testimony. Friends of Mooney and Billings feel justified in believing that, if he does so, the doors of hope may open again.

Meanwhile steps to present the evidence of the photographs to the Court in a formal petition for a rehearing have already been taken by Edwin V. McKenzie, an able San Francisco lawyer who came into the defense in the Rena Mooney and Weinberg trials. Well-to-do, independent, not a radical, with no thought of monetary reward, McKenzie reënters the case in an excellent position to make the most of the photographic evidence. As friend of the Court and with Billings' consent he is preparing a petition setting out the evidence of the clocks with a clarity and finality that is unanswerable. This evidence will be placed before the officials and citizens of California and held before them until the dullest must see where the truth lies. In this endeavor are united a staunch group of newspapers, lawyers and publicists, including Fremont Older, editor of The Call-Bulletin, the Scripps-Howard Daily News, Judge Griffin, who presided at the Mooney trial, and Franklin Hichborn, veteran publicist with access to that liberal wing of the churches, always a minority, whose belief in the men's innocence has now been severely shaken. And Mary Gallagher, secretary of the Mooney Defense Committee and the balance-wheel of the defendants' personally controlled organization, is carrying on with a level head.

Two features of the Supreme Court decision cannot go without comment. One is the Court's closing argument that if Mooney and Billings are not themselves guilty, "it is an almost irresistible conclusion" that "they know and have always known who did prepare and plant the bomb. . . . Yet there has never come from the lips of either . . . the slightest tangible hint or aid . . . as to anyone else which might lead to a discovery of the real perpetrators of this revolting crime." Here we meet again the central obsession that has defeated justice in these cases: Mooney and Billings were odious radicals, the one convicted, both charged, with the use of dynamite in a labor dispute, of a type and a creed so abhorrent to the justices that their minds jump to the conclusion of guilt and cling there in spite of everything. Encountered in the Supreme Court, it is a failure in critical intelligence somehow more baffling and humiliating than a failure in honesty would be. Here is the place to say that no competent critic suspects venality or corruption or anything worse than an inability to see the record objectively, uncolored by prejudice. It is significant that the one feeble dissent is by Justice Langdon, the only San Francisco lawyer on the Court. He happens also to be the only Catholic, a circumstance which may be of significance as showing that here again we meet, in the minds of the others, the uneasiness and hostility of the old American stock in the presence of certain phenomena of our new urban, industrial society. The other justices come from San Jose, Oakland, Ukiah, Los Angeles, and are typically church leaders, prominent in fraternal organizations. Probably any one of them would risk his life to save Mooney or Billings if he met either of them on a perilous Sierra ledge. They are good people, and it is depressing to contemplate the failure of the hard, realistic, common shrewdness and fairness that we like to believe in as virtues of their type.

The Supreme Court, in its complaint that no effort has been made to find those responsible for the bombing of the Preparedness Day parade, even misstates the facts. Mooney and Billings were arrested four days after the explosion, and have been behind bars ever since. Yet they and their attorneys have spent large sums of money and months of labor in attempting to run down clues that would lead to the arrest of the guilty. Investigators were sent across the country and back time and again in attempts to fix the crime, first on an insane anarchist, then on a German agent. The anarchist was actually indicted by the San Francisco grand jury on evidence provided by Maxwell McNutt, attorney for Billings and Mooney, the indictment being later rescinded. Rotting in prison, Mooney's mind has worked ceaselessly on attempts to solve the crime, and his advisers have repeatedly tried to dissuade him from wasting defense funds in a wild-goose chase. It was Fickert's determination to convict Mooney and Billings that blocked the discovery and pursuit of other clues while they were still fresh.

Even more amazing is the Court's affirmative and gratuitous whitewashing of the prosecution.

Choosing to believe McDonald, it could still have ignored the methods of Fickert and his assistants, or it could even have deprecated them. Instead it declares, "Upon the entire record before us we acquit the then officials of San Francisco . . . of the charge that . . . they were actuated by improper motives, or made use of wrongful or improper methods, in procuring the arrest and conviction of the defendant." This refers to the Billings case, and it is true that Oxman's testimony, McDonald's attempt to change his story, and a long list of exposures came later. But whereas the Court considers the whole range of Mooney's and Billings' characters and activities in judging the men, it ignores everything outside of the record of the Billings trial in judging the character and atmosphere of the prosecution and what it probably did in the light of what is known. It ignores—but there is not space for that lurid record of perjury and deception.

When the decision came, California was in the midst of a three-cornered campaign for the governorship, to be decided at the Republican primaries August 26. Governor Young had announced in advance that he would follow the Supreme Court, and his statement inviting further impeachment of McDonald has softened the resentment that swept liberal ranks. We face the ineluctable fact that Young is certainly better than Buron Fitts of Los Angeles, District Attorney and American Legion politician, and that he is probably a trifle better than Mayor James Rolph of San Francisco, an older Jimmy Walker. Many thousands of votes will go from Young to Rolph as a result of the decision and the Governor's denial of a pardon to Mooney, but it is a question whether they are more numerous than the votes he would have lost by a pardon. Even those burning with resentment refrain from using the decision against Young for fear that opposition on this ground would increase his vote. Young's organization comprises nine-tenths of what there is left of "progressivism" in California. The situation is another reminder that public life today is at the lowest level in living memory and that California stands well toward the bottom of the list of states. Democracy, says Mr. Mencken. I suggest parvenu business, blundering, incompetent, without code or leaders in the first generation of its ascendancy.

San Francisco. GEORGE P. WEST.

The Chains of Chain Stores

I

SO MANY tears have been spilled on behalf of the workingman who wears overalls and a blue shirt that the public has had no time left to consider the plight of the white-collar drudge. Unlike his brother in the factory, the robot in the starched collar seems to lack the spirit to fight against the indignities which have been heaped upon him in the name of efficiency. He is left to drag out his lot unwept and unsung. A few brave rebels have tried to point out and remedy conditions, but their efforts have always been quietly squelched.

It would be possible for me to name any one of a number of large companies that stifle their employees with stupid regulations. But the worst offenders are to be found among the chain-store organizations. Why this should be I leave to mind-readers and astrologists. Perhaps it is because of the thin margin of profit upon which these stores claim to operate. Or it may be the fierce competition they meet; or even the fact that the founders of several of them have risen from lowly beginnings and have not yet been able to shake off their early habits of frugality. But whatever the reason, the policy is short-sighted and unnecessary. A glance into the machinery of several of the largest and most uncompromising exponents of Prussianism in business will prove enlightening and amusing.

If you were unfortunate enough to have to visit one of these chain-store companies to apply for a job, you would be greeted with cold hostility. In the course of the cross-examination to which you would be subjected, there would be no hint from your inquisitor of the sort of inferno to which you were requesting admission. You would be questioned closely concerning your whole life, personal and business; you would be psychoanalyzed by pseudo-psychologists—overhauled by three different persons, and, in effect, asked each question three times. If your patience had held out to this point, and you were beginning to feel hopeful that these demigods would overlook your defects and hire you, you would probably then be told that there was too much nicotine stain on your fingers, or that you had tapped your feet during the ordeal—either of which indicated that you were nervous and perhaps emotionally unstable. Let us suppose, however, that you have been hired at, say, $45 a week, a generous salary for this organization to pay. With a grateful heart you report for work. At once you are given a number; let us call it number thirteen, since that is supposed to be unlucky. This number will haunt you throughout the rest of your career with the firm. Your time-clock card is number thirteen, your desk number is thirteen, your pencils, pens and other implements of work are numbered thirteen, your locker is number thirteen, your mail is signed number thirteen; you are in fact

and name only number thirteen. A penitentiary could do no better.

When this little formality of effacing your identity has been disposed of, your superior "officer" calls you to his side, and in honied accents warns you that you are to be seated at your desk and ready for work before nine o'clock each morning; and that you are not to leave that desk at any time during the day except for the discharge of a duty which can be discharged in no other way. You are to talk with no one except on company business, and then with no waste of words or gestures. To help you resist all temptations of the Devil—for it is assumed that you are weak—you are forbidden to bring any newspapers into the office. Perhaps the lure of the help-wanted columns would kindle the dying fires of your initiative.

The next step is to be introduced to your chief taskmaster. This is an imposing chart, tacked on the wall. Each department is subdivided into divisions, each division has its own chart. There is a military line-up of titles and functions, each neatly ruled and graduated. Opposite the title of each position there is an outline of the titleholder's duties, with the maximum amount of time allowed for each operation. If, momentarily, one of these wretches should forget that he is a cog and act like a human being, the whole contrivance would begin to grind and sputter, and the loose part would be promptly thrown out. During the midday lunch period every employee must either get out of the office or stay at his desk and work all the time. He cannot lean back in his chair and rest or look out at the unlovely scenery. He must keep working or keep out.

In this emulation of the pre-war Prussian army, the employee's first and only duty is to the name and tradition of the Founder. At the moment of employment, he is automatically enrolled in the company's secret service. This means that he is expected, as part of his work, to spy upon his fellow workers and superiors, for any indiscretions, misdemeanors, breaches of conduct or sins against the sacred name of efficiency. In this category are such things as taking a puff of a cigarette while in the men's room, being courteous to a subordinate, or almost anything that is natural to men and women of decent instincts. If he reports these weaknesses of others to the Inner Sanctum, the employee is given a raise, or a promotion, or perhaps a gracious smile and a promise of paradise to come if the espionage is continued. Strangely enough the system flowers, and brings to light weeds whose ugliness no white collar can conceal.

A part of the company's welfare program includes a corps of snoopers disguised as health investigators. If one of the slaves stays home more than a day at a time to try to recover his mental balance, an investigator is sent to his home to inquire solicitously of his condition. If the poor devil does not look sick enough to the investigator, he is reported and at once dismissed. Daily shaving is another of the rituals required of every male employee. The writer has never met one of these drudges daring enough to grow a beard while so employed. Department and division heads are also instructed as to the style, color and cut of the clothes they may wear.

The employee's contact with the outside world, during business hours, is trimmed down to a minimum. If a business visitor—and no others are allowed—lingers a few minutes over the time allotted for the interview, one of the "executives" will glide into the reception room and on some pretext take the employee away from the caller. The stranger will not even realize what has happened, for the company modestly conceals its high efficiency. In the terrific struggle for ultimate perfection, the office boy has become obsolete. These chain-store executives have decreed that every man must be his own office boy—and in strict accordance with the chart on the wall.

Remembering, perhaps, his boyhood delight in examinations at school, the presiding genius of this five-cent-to-one-dollar outfit has instituted periodical examinations into the fitness of every male employee to hold his present position and to qualify for a better one. These examinations are given after office hours, in regular school-room fashion, and are compulsory. Those attaining the best marks are eligible for the first promotions, provided, of course, that their average in espionage is good. Those having poor marks are placed in line for dismissal, regardless of the actual performance of their duties.

The department and division heads who are closest to the Big Chief, that is to say, those who are the best snoopers and browbeaters, are, after a period of probation, allowed to attend a lecture course given on certain nights in the month by one or another of the socially minded leaders of the institution. These lectures consist of readings from "——ism's," the title of a compilation of wise sayings of the Founder. These readings are then interpreted to the "students" by the "professor" in the light of their daily work. Only in rare cases is the book allowed out of the lecture room while in the hands of any of the students. Thus does the benevolent shepherd of these white-collared sheep encourage them to grow the softest and the whitest wool for his shears. It is an ironic fact that at least two male employees have been said to have left the firm's employ to enter the comparative tranquility of an insane asylum.

II

There is another chain-store organization that in certain respects eclipses the idealistic record of the company just described. This one is presided over by a benevolent old gentleman whose greatest joy

comes from seeing his name in print in connection with philanthropic enterprises. The difference between this company and the former is largely one of method. While the first firm makes no attempt to tell the public of its righteousness, the latter is anxious to have everyone realize that a fount of love inspires all its undertakings. Both, however, thrive on the same system of efficiency, which exterminates independence in both the personal and business lives of its employees. One of the boasts of this company is that 96 percent of all applicants for positions are rejected. But we are not told how many of the 96 percent rejected the company as unfit for a man of spirit and self-respect to be connected with. Here is a haven for all those who have been trained in picking the motes from their brothers' eyes, all those anointed by the Methodist Board of Temperance, Prohibition and Public Morals. No smokers, no drinkers, no gamblers need apply. For this is a place where your daughter or your sweetheart might find shelter from life. This, indeed, is heaven's vestibule.

In the gospel of the founder of this home for goose-steppers it is written, "Neither will we retain a man who is unable to live within his means," and again, "We will not retain in our employ a man who, if married, does not enjoy the right kind of home life." Thus, you may get a job here if you don't drink or swear, if you refrain from all gambling, have no debts, are young and ambitious, and finally—and probably most important—if you have a head that is empty of any ideas of your own and a nature that trembles at the thought of revealing a civilized impulse. If you can prove that your home life resembles a domestic scene in heaven, and you have no "outside interests," whatever that phrase includes, your chance of being enrolled among the saintly 4 percent is greatly enhanced.

You will be paid a "living wage." The fixing of this living wage appears, from its average size, to be based, quite properly, upon the requirements of the nincompoops that obtain admittance to this commercial paradise. That is to say, it is enough for subsistence. Creatures with so little initiative would be embarrassed with more. As an "associate"—for the degrading word employee is never used—you will be expected to do much night work. This night work, it is explained, is not gratuitous on the part of the associate. But strangely enough, neither is he paid for it; or at least not in cash. The angelic logic of this is that the company thus saves much money by not having to pay extra for night work, and that this in turn increases the profits of the company—to the good of all concerned. How this benefits the associates is not made clear. But it is assumed that reduced operating costs make it possible to sell merchandise at lower prices, and that the wise associates will take advantage of this to make all their purchases in the organization's store. Surely you will not be ungrateful enough to suggest that this scheme lines the pockets of the owners. Gentlemen, we are an idealistic concern.

Unlike the company mentioned in the first part of this article, the present firm does not rely upon each associate to do the dirty work of spying on his fellow workers. We are more delicate about it here, and have delegated the work to a corps of specialists. These experts in snooping have considerately been rechristened "personnel" men. Each associate is given a semiannual "rating," which includes all available data on his conduct in and out of the place of business, his competency, personality, appearance, health, industry, loyalty—and of course any tidbits about his home life that can be gleaned without actually peeking through his windows. Woe unto him who is unfortunate enough to incur the ill favor of the "operative" who has been assigned to dog his trail. After three years of this probation, you may, if you are still alive and sane, be rewarded with a better job. No one is promoted sooner.

It would be possible to go much further than this in depicting the heights to which some business organizations have attained in their zeal for the perfection of efficiency. But by now you have no doubt guessed the secret: efficiency is the name they give to a skillful—and efficient—strategy for reducing employees to jellyfish. And the ending of any story could only show you these same associates, no longer young and ambitious, bounced into the gutter, there to land on a back that could boast of having lost its spine.

RALPH L. WOODS.

Early Evening on the City

Too soon have steeples lighted
Their lanterns, and too soon
Have towering flares benighted
The pale unsilvered moon.

The dream of twilight lingers
Over the dusty town.
No long electric fingers
Should hunt the darkness down.

Wait till the leaning hour
Has fallen, and the mist
Of night has closed the flower
Still shining toward the west.

Till the first star sends from its
Far hills a cold command,
And the sun from cloudy summits
Withdraws his glittering hand.

Wait till the pit of heaven
Is black with fear and doubt,
Then light the spires we've given
To drive our terror out.

MORTON DAUWEN ZABEL.

In Darkest Hollywood

IN HOLLYWOOD we can't find any topic of conversation as fascinating as the business we are in. Unfortunately, it is almost solely as a business that we discuss it. I have lived in the picture colony for ten years, and during that time have not encountered half a dozen people who really know what a motion picture is. We can talk about Betty Compson's voice or Greta Garbo's manner of making love—about the obvious externals you see on the screen—but try to interest anyone in a discussion of screen esthetics, the real significance of the *montage* of the Russian school, the fundamental difference between the appeal of the silent and the talking picture, and you will discover that the other fellow's contribution to the encounter will consist largely of yawns. I do not wish to make the charge that there are not a half-dozen people who can discuss screen art intelligently; I will merely say that in ten years' contact with them I have not found half a dozen—and I'm rather a gabby chap.

Thirteen years ago Appleton published a book by Hugo Münsterberg called "The Photoplay: A Psychological Study." No matter how far or in what direction screen art advances, Münsterberg's masterly analysis of its fundamentals will remain always the solid-rock foundation for all its literature. Only those who have read and mastered this work are entitled to boast that they have put their feet on the first rung of the ladder that leads to an understanding of the principles of screen art. In Hollywood there are twenty thousand people engaged in making for world-wide distribution examples of this art. Neither in the main Hollywood library nor in any of its branches can a copy of the book be found. It is not for sale in a Hollywood bookstore. I have not encountered a dozen people who have read it, or two dozen who ever heard of it. The film industry is one of tremendous proportions, yet this great contribution to its mentality is out of print. Hollywood talks in terms of the externals of motion pictures, but does not think in terms of their fundamentals.

Hollywood sends forth many worthy examples of screen art. Ernst Lubitsch gave us "The Marriage Circle" and "The Patriot"; Charlie Chaplin, "The Kid" and "A Woman of Paris"; Henry King, "Tol'able David" and "Stella Dallas"; Clarence Brown, "Flesh and the Devil" and "Wonder of Women"; King Vidor, "The Crowd" and "The Big Parade"; D. W. Griffith, "Birth of a Nation" and "Broken Blossoms"; Frank Borzage, "Over the Hill" and "Seventh Heaven"; Herbert Brenon, "Beau Geste" and "Sorrell and Son"; John Ford, "The Iron Horse" and "Four Sons"—to mention only a few that come to mind readily. More than three hundred motion-picture critics of the United States selected, as the ten directors who had given us the best pictures during the 1928-29 season, Ernst Lubitsch, George Fitzmaurice, Frank Borzage, Clarence Brown, Lloyd Bacon, Cecil B. De Mille, F. W. Murnau, William Wellman, Raoul Walsh and Frank Lloyd. These names, and those I have mentioned before, loom large in the mind of Hollywood—and still I say that I have not encountered in Hollywood half a dozen people who can discuss screen art intelligently. Most of those who have done the best work have done it by instinct. Nearly all the pictures I have listed above betray somewhere in their course that their directors did not have a grasp of the one thing essential to the success of a motion picture, the only thing which, properly handled, can make a good picture out of a poor story—motion.

In "Alibi," a United Artists picture, the story is pressing onward to its conclusion when we have a sequence full of action, reflecting the intelligent use of motion in telling a story on the screen. If up to that point the story has accomplished its purpose of entertaining us, it can hold our interest only by accelerating its pace and moving swiftly to its climax. Our interest has become centered on only one thing—the fate of the young crook, played by Chester Morris. Anything that happens is important only to the extent that it affects him. A detective is shot. The story stops abruptly. The death of the detective is done beautifully and at great length, with off-stage music, on-stage tears and brother officers swearing that they will get the guy who croaked their pal. Nothing in the scene has anything to do with the story, which is forced to pause while this vaudeville turn is presented. No producer or director who understood the first principles of screen art could permit the inclusion in a picture of such an interruption to the smooth flow of story motion; and no one with any knowledge of screen art could commend its inclusion. I saw the picture at a private showing at which there were present a few hundred invited guests, studio executives, screen writers, directors, actors and producers. Once during the showing this audience of motion-picture experts became so enthusiastic that it applauded loudly. The scene which made the audience enthusiastic was that showing the death of the detective.

Producers value so little the one thing they have to sell—the flow of motion on the screen—that they pay people to interrupt it. At first it was a lowly occupation, and those who followed it were called gagmen. The salaries of the best interruptors grew

beyond such a common little word as gag, and after solemn deliberation they called themselves comedy constructors. They drew salaries for stepping in when a dramatic story became dramatic and injecting a corking bit of comedy that always in the past had been a sure-fire laugh. Some of the studios for a time actually made a practice of giving credit on the screen to those who exercised their ingenuity in thinking up things to spoil pictures. Comedy constructors seem to have passed, but the fearful habit of injecting "comedy relief" still persists.

In the screen version of "The Mysterious Dr. Fu Manchu," Warner Oland gives a remarkable characterization of Fu Manchu, the sinister, diabolically clever wholesale murderer. As a performance it is one of the finest things the screen has given us. The picture depicts the method and progress of a Chinaman's revenge. If it does not succeed as a drama in absorbing our attention, it falls short of achieving the purpose for which it was filmed. By his superb acting Oland thrills us with the unrelenting single-mindedness of his adherence to his vow of vengeance, but each time he brings us upright in our seats by the tenseness of the situation, the story stops, the drama sags, and William Austin does a comedy turn. When we are fearful that Fu Manchu is about to succeed in killing the hero, when we are losing ourselves in the drama and are so excited that we scarcely can breathe, Austin falls downstairs in a coat of mail. This reveals the comedy constructor at his best. His mission is to kill in one minute the effect that the picture has struggled for fifteen minutes to obtain, to halt abruptly the progress the story is making, and to stick in something as out of place as a pig at a wedding.

If Hollywood could talk intelligently about motion pictures, it could make them intelligently, and there is no place in an intelligently made picture for anything that does not offer a direct contribution to the story. For all their striving, the comedy constructors have not constructed one thing half so funny as the fact that producers thought there was a place in screen art for comedy constructors.

We regard an operation for appendicitis as quite a simple affair, but that opinion is based on a presupposition of a knowledge of surgery on the part of the operator. In the same way, granting those who make them a knowledge of the mechanics of their craft, there is nothing on earth so easy to make as a good motion picture. Yet not more than one in forty of those turned out by Hollywood is a worthy example of screen art. The faults of the thirty-nine have become standardized. When sweethearts kiss on the screen, the only thing of story value is the fact of the kiss, yet what is presented to us is the manner of it, a huge close-up showing us the muscular contortions of the kissers' jaws. We have seen on the screen love scenes enacted on crowded streets, on football fields, on parade grounds, on ballroom floors, in prize-fight rings—in scores of places as devoid of privacy as Forty-second Street and Broadway or Trafalgar Square at noon. In "The Rainbow Man," Eddie Dowling pulls Marian Nixon over the footlights in a crowded theater and makes love to her on the stage. Screen love scenes are important because they are the only incidents common to practically all pictures. In real life, the caresses of sweethearts derive their greatest sentimental value from the privacy that almost invariably surrounds them. That is something which Hollywood, with all its experience in depicting human emotions on the screen, has not learned.

Recently, I saw a modern example of screen art that had not yet been released for distribution—a college picture containing a scene in which the president of the student body addresses a crowd of his classmates. He faces the camera, and those whom he is addressing stand behind him, also facing the camera. Can you imagine a man in real life standing with his back to his audience? It is done constantly in pictures. A scene in another new picture shows the hero dashing into a burning house to rescue his sweetheart, with whom he has quarreled. He finds her on the second floor when the collapse of the stairway seems imminent. Does he grab her and beat it? He does not. He takes her tenderly in his arms, pleads that it was all his fault, that he has always loved her and her alone, and that if she will forgive him he never will misunderstand her again. She forgives him and a beautiful love scene ensues, as out of place as a similar scene would be in the middle of a Niagara whirlpool.

You can match these few examples of weird screen conceptions with scores you have noticed yourself. You endured them for a long time and then you began to show your disapproval of them by staying away from picture houses. About two years ago box offices sagged, and out in Hollywood it was agreed that something must be done. It did not seem to occur to anyone that better pictures would cure the ills afflicting the industry. No one read Münsterberg to find out what a motion picture was, anyway. The fact that any picture would be good entertainment if it contained an uninterrupted flow of motion did not suggest itself. The industry which had made itself stupendous by manufacturing silence, abandoned suddenly and entirely the thing that made it and began to manufacture sound. The change was as radical as it would be if a concern that had built up a market by manufacturing women's hats were to switch suddenly to the manufacture of men's underwear. Producers still insist that they have not made a fundamental change in their business, that they still are manufacturing screen entertainment. As well might our manufacturing concern contend that it had not changed its business, that it still was engaged in the manufacture of wearing apparel. It would be, but not for the same market.

If Hollywood, which talks about nothing but motion pictures, had known what it was talking about, it never would have gone over so completely

to the talkies. It would have known that they cannot permanently endure. It would have known that silent screen art is fundamentally sound, and that if the order of their coming had been reversed, the silents, intelligently made, would have chased the talkies off the screen. But Hollywood as a whole, as I have said, does not know what a motion picture is. There are some here who have a glimmering of what it is all about, but they hold humble jobs or none at all, and are afraid they will be fired if they try to tell their bosses what screen art is. The producers refuse to allow the word "art" to be uttered in their presence. They maintain that they are business men devoting their attention to a business, not to an art. To promote the welfare of their business on the theory that in union there is strength, they formed a strong organization in which the business brains of the industry are united. And to head this strictly business and powerful organization, they selected Will H. Hays, who has had much experience in politics and none in business.

WELFORD BEATON.

Washington Notes

AS THIS is written there are but two things of immediate interest pending in Washington—one the matter of Mr. Claudius Huston's tenure as chairman of the Republican National Committee; the other the question of the ratification of the London Treaty. Anyone who cares to can prognosticate and predict about either or both of these questions. For my part there will be no prophecies in either direction. There is every reason to expect Mr. Huston's resignation before this appears in print. As to the Treaty, if that fight is not successfully concluded before July 20, then the hopes and expectations of practically every political observer and politician are without foundation. Nevertheless, such is the pessimistic mood into which I have been thrown by the feeble and absurd way in which the White House and the Republican managers have dealt with the Huston case from the start, and so keen is my appreciation of the awkwardness and lack of spirit in the Republican Senate leadership, that I shall await the event before indulging my enthusiasm. In fact it seems wiser and easier to get away from these two subjects altogether, pregnant as they are, and discuss the state of mind, nerves, pulse and general condition of Mr. Hoover, soon to be left practically to himself in Washington.

It is interesting to note that the closing of the session rather marked an advance for Herbert and somewhat disconcerted the Democratic publicity department, which was prepared to accentuate the "lack of leadership" in the White House and the lack of results in Congress. In the final days, Mr. Hoover asserted himself with a degree of force that got through the things he wanted and left the hostile element in the Senate in a somewhat silly position. It is possible—and reasonable—to consider it a great pity that Mr. Hoover did not exert himself in this way months before, when it would have done more good. It is possible, too, to pick many and grievous flaws in what has been accomplished, some of which is very bad indeed. But it is not possible to make the allegation of futility against either the White House or the party. In this respect, it seems to me, the Democrats have let their publicity department run rather wild, and I am told that propaganda plans for the fall campaign have had to be measurably revamped. Instead of contending that nothing has been done under Hoover, the Democratic strategy has been changed so as to allege that nothing good has been done.

It is on this ground that the friends of Mr. Hoover, and Mr. Hoover himself, are prepared to debate this fall. Conceding that there is room for difference of opinion about the tariff, the farm-relief act and the reorganization of prohibition enforcement, Hoover's attitude is that these measures constitute a complete redemption of his own and his party's campaign pledges. In addition, the inland-waterway program, the general federal highways bill, the reform and extension of the federal-prison system, the settlement for all time of the reapportionment position, child-health legislation, consolidation of the Veteran and Pension Bureaus, tax reduction, debt reduction and the naval treaty —these things are all cited as achievements of the first fifteen months of Hoover's administration, and to them the White House "points with pride." In various forms the administration's claims along this line will be sent to the country during the next few months. The White House journalistic and radio spokesmen are being primed with ideas and data. The Republican Committee, if it can be made to function under a new chairman, is to send it out to the party press in all sections. Republican candidates for House and Senate are to be supplied with the list of what was done and what it means, and this information is to be used on the stump in states and districts.

Behind this drive to "get the facts to the people" is Mr. Hoover himself. In other words, what Mr. Hoover thinks is that he has done a very great deal in a year and a half, and he proposes to see that it isn't kept secret. A while ago a lot of Republican candidates on the House side were openly saying that they had nothing to talk about in the campaign. Some of these complaints reached the President's ears and, I am informed by one of his intimates, made him mad. It is a good thing. I should like to see him get mad—and stay mad. Perhaps he will. At any rate the word now is that he proposes this fall to make a few speeches himself on the administration and its work. Further, he proposes to have various and sundry members of the Cabinet coöperate along this line. It will be interesting to see if he can induce the revered Andrew to make a radio speech. Still further, it is Hoover's idea, I am told, to put forward for the same purpose various members of the so-called "Baby Cabinet," which includes the undersecretaries and the assistant secretaries of the Cabinet members. Among these are some of the ablest men now in the government service. How effective they are on the stump, I do not know; but I advise those who can't speak to learn, because speaking is going to be expected of them late in the summer and all through the fall.

The point of all this is that, with Congress off his hands, Herbert believes the time has come to give himself some

favorable publicity, and he is arranging to make the publicity as wide and as effective as possible. He could not do very much in the way of propaganda—nor could any administration agency—while Congress was in session and the program was pending. Now that it is over, he can and will. He does not intend to sit silent while the Democrats denounce. He does not intend to count upon the intelligence of the people to get at the facts. He proposes to see that they get them in a wide and free way and from every source he can command. Taking it all in all, this seems to me a sensible thing for Herbert to do, and it will be very interesting to see how effectively he does it. He may make a mess of it. He may not be able to counteract the impetus of the Democratic propaganda, which has grown stronger in the year and a half of its unopposed swing. On the other hand, it will be recalled that in the eight years prior to his Kansas City nomination, Herbert was not unsuccessful in getting a vast amount of favorable personal publicity. Of still further interest is the report that Mr. Hoover will take no vacation this summer, that he intends to cut out his plan to visit the national parks. He believes that he has no further legislation of consequence to ask of the next session, that from now on his job is to administer the laws already passed, and make them work. Particularly is he concerned about justifying his belief in the beneficial nature of the flexible provision in the new tariff bill. This he can do, it is claimed, through a proper reorganization of the Tariff Commission and the amelioration of various iniquities in the tariff law. In this everybody will hope he is right. There have been few bills with more iniquities to ameliorate.

T. R. B.

Washington.

Bell Which Speaks to Rest

Bell, bell which chides to peace
A moment of a falling street,
Repeat the hour, repeat
From the many winding feet
Light ebbs without cease.

Bell which speaks the instant rest,
An image of remembered time
Dispels the gathered instant from the breast.

Clock struck and sky's in chime.
Bell strikes, and I saw rise
The image whereon now
Surrendered passion lies.

Saw, as death that starts from sleep
To gaze upon the living brow.
Then what watch shall passion keep,
Deep, deep as those hollow eyes?

Passion never watched so well,
Worms sucked their vision deep,
Bell says, and bell.

LÉONIE ADAMS.

Coronado

Quivira, by Paul A. Jones. Wichita, Kansas: McCormick-Armstrong Company.

THE Royal Viceroy Mendoza himself had come from Mexico City to be in Campostela for that February 22, 1540, when the army under General Coronado was to start north for the Cities of Cibola. Nothing had been spared toward this expedition. The Viceroy's money and others' had gone into the preparations, the debts of numerous grandees and spendthrift gallants had been paid, Coronado's own credit had been taxed to the full. Charles V had sent over from Spain a shipload of arms from the royal arsenal. At the head of the blazing nobles, in the review before the Viceroy, Coronado rode in golden armor on a white horse, a silk saddle blanket, red and yellow, with gold fringe almost to the ground, and from his helmet white and red plumes. There were foot soldiers, cavalry in armor, Indian allies, servants, grooms with the pack animals in charge, and Franciscan friars, in their brown, each one holding in front of him the silver cross at the end of his rosary. They were loyal to Coronado but not subject to the king.

This expedition cost more than a million dollars in modern terms. There were in all a thousand men moving out along the west coast and mountains northward into unknown country, where there should await them the Seven Golden Cities about which so many tales had come that Spain itself grew excited at their mention. The purpose was to extend the king's domains in the New World, to bring back treasure and to spread the religion of Christ. The leader, Don Francisco Vasquez de Coronado, of noble blood, was Governor of Galicia. On his huge estate, awaiting his return, was his beautiful young wife, Beatriz de Estrada, daughter of the royal treasurer of New Spain, blood cousin to the king. There were divers other officers, all gentlemen born, with names as handsome as their heraldry and outfit, Don Roderigo de Maldonado, Hernando de Alvarado, Don Tristan de Arellano among them, and one Juan Gallego, whose sword it may be that was found by a certain Mr. Clark along the Pawnee Creek in 1886, and is now in a Kansas museum. On one side of it is engraved:

No me saquez sin razon
No me enbaines sin honor

"do not draw me without reason, do not sheathe me without honor"; and on the other side *Gallego,* and fair traces of *Ju,* after which comes a distant *an.*

We may pass over the Nordic superiority that one naturally feels in reading of such magnificence in men who were setting out for a two-years' absence, over that dangerous, burning country, full of Indians of many races, full of betrayals, of deserts, cold and mad adventure. The men of this race did this and more on many other adventures, in South America, in Texas, in the terrific regions of wild Mexico. I heard little of all that in my teens; I have no idea what is taught about it in our public schools now, this Spanish endurance and adventure in covering the New World. It would doubtless be as hard to bring into our

children's imaginations what mountains of rock and endless deserts mean, when nothing but green grass or mildly friendly forests have ever been known to them, as it would be to give them some idea of that Spanish opinion that the magnificence of the adventure might be expressed to all by its magnificent parade, and that their own hard glory of mind might march with an earthly glory, inherent in it. I think of my great grandfather riding from Georgia to Mississippi, with his carriages, wagons, slaves, furniture and money, through Indian tribes or over uncertain roads and rivers, all mildly carried out. I think of my early New England ancestors, whose exploits, compared to that of these Spaniards, were about on the level of stalking the woods for the Christmas turkey.

This remarkable trip of Coronado's, Mr. Paul A. Jones, in a highly readable, Kansan, local and most agreeably so, book has set down together with accounts of the first stop, the partition of the force, leaving some behind as a garrison, the capture, on July 7, 1540, of the first of the cities, the betrayal by the Indian guide known as the Turk, whose scheme was to lead the Spaniards into the great Staked Plains, where they would starve to death, and except for the herds of buffalo would have done so. In April of the next year the army set out again northward, from their winter quarters in Tiguex on the Rio Grande; the Turk's treachery was revealed to them by the Teyas, and they pressed on to the Kingdom of Quivira, with the new guide, a captive from Quivira, who was promised his liberty if he brought Coronado there. Meantime this guide, Isopete, as other Indians did, tried to explain that, though the country was vastly rich, it had not in it the kind of gold that the Spanish sought. At Quivira the army was well received, made scoutings here and there, and finally a trip to the northeast, in order to meet the King of Harahey, whose kingdom also proved to have no gold. This was as far as Coronado went, a spot several miles southwest of the modern town of Lonsberg.

There is much more in Mr. Jones's book, many accounts, among them Coronado's hurt in racing with one of his officers, at Tiguex, when a rotten girth broke under the General's saddle; the return to Campostela and then to Mexico City, where there are no upbraidings to be read in the records of the time, and where reports were made to send to the King, who also held nothing against his Viceroy and General. Years later there were recommendations for another expedition and the capture of Quivira, as a Spanish outpost and as a province rich in many things not gold; but nothing was done about it.

One of Coronado's men, Father Juan de Padilla, following his rights under the Church, did not return with the army but went to Quivira again, where he made many converts, but desiring at length to go on farther, in order to bring his message to a neighboring tribe, the Guas—very likely the Kaws of the Sioux family—bitter enemies of the Quivirans, he was killed soon after passing the "end of Quivira," again near Lonsberg. The accounts of his death vary from ambushed Guas Indians, his own lay brothers, allotted him by Coronado, to his Quiviran converts, who did not wish the benefits of the new religion conveyed to their hated rivals. The town of Herington has raised a monument to this first Christian martyr in Kansas, and insists that the padre's bones lie somewhere near by; but at Isleta, in New Mexico, there is a coffin put together from cottonwood boards in which the martyr's mummy lies, carried there by a party of Franciscans who made an expedition to Quivira some years after his death, brought back his remains and buried them in the floor of the Isleta mission.

Lately I have read Mr. Edward La Roque Tinker's admirable and absorbing history of Lafcadio Hearn's American days; I am struck with the fact that there are whole sections of Hearn's life—he died only in 1904—that are less recorded or accessible even to this untiring biographer than happens anywhere in the history of this Spanish expedition, eighty years before the landing of the "Mayflower," so many narratives, private accounts and reports were there, written by various members of Coronado's party, and remarkable for their sharp observation and their general agreement as to the main facts. And even then no small part of the facts on which the expedition itself and the narrators proceeded were derived from the account of Cabeza de Vaca, who, after a shipwreck in 1528 on the Texas coast and eight years of wandering among the Indians, had arrived at last in New Spain with all his stories and had set about writing a series of letters, long since easily accessible in print, on the subject to Charles V.

STARK YOUNG.

CORRESPONDENCE

Herbert Croly and the Far East

SIR: Not the least contribution which Herbert Croly made to the United States was in the form of helping to keep alive in the minds and hearts of many in the Far Eastern countries the conviction that the American people are essentially fair-minded and honest and desirous of doing that which is just in their dealings with other nations.

Of critics of the United States and its policies in China and Japan there have been many—critics who sneered at protestations of international good will, who called this air of friendliness a hypocritical mask behind which American capitalism was extending the tentacles of its control over the people and resources of the Far East with utter selfishness and disregard of the rights of others. These critics dismissed acts and statements to the contrary as nothing more than meaningless gestures by persons with good intentions but no power to make their intentions effective, or as smoke screens deliberately thrown up to obscure what really was being done.

A number of men, through their writings and their acts, helped to give a truer picture of the American people—one which did not slur over the unpleasant features, but which gave these and the good qualities their proper perspective. Among these, Herbert Croly, through his books and through The New Republic, was far from the least significant. His books were not best-sellers in China and Japan, nor was The New Republic particularly widely circulated. But both were to be found in the school libraries, usually much thumbed, and in the homes of men and women who were seeking to make their own contributions to the upbuilding of a better life for their own people.

To Herbert Croly, and to the men and women who associated themselves with him in his work, is due in no small measure the faith which many in the Far East have kept in the fundamental fairness and friendly international feeling of the American people.

GROVER CLARK.

New York City.

"MacDonald and Gandhi"

SIR: In the interests of fair play I ask permission to add to and to subtract from the statements embodied in the article of H. N. Brailsford's re India ["MacDonald and Gandhi," The New Republic, May 14]—fair play to a people left, as your correspondent admits, after 150 years of British rule, without an educated citizenry, with religionists that cannot tolerate each other (after centuries of toleration before the advent of their alien exploiters) with no army trained to obey "native" commanders. Something more than this admission, however, I feel is needed. Let me supply it on the unimpeachable authority of Reverend J. T. Sunderland, from his book "India in Bondage." His premise presents five basic facts that Mr. B— utterly ignores, thereby invalidating his entire article. First—as Mill and Lincoln have told us—no nation has a right to rule another, therefore, England has no right in India! Secondly, British rule has *proved* itself unjust, inept and tyrannical, as well as spiritually emasculating—as an alien rule must. Thirdly, one-fifth of the world held in bondage by force creates a world menace. Fourthly, India ruled herself for 3,000 years or more and can do it again. Fifthly, whatever incompetence can rightly be assessed in Indians is due to British rule, hence the remedy is obviously the restoration of their freedom.

India today, demanding her freedom determinedly, and in a manner that for sheer fineness and beauty and uniqueness, has no parallel, such an India merits better treatment than the article in question gives her, so I cannot forbear to say Mr. Brailsford nay, in a few of his many flagrantly misleading statements, though my first paragraph is my brief for India.

"Bloody riots in Karachi and Calcutta" he says. . . . Yes, and elsewhere—and also the most amazing exhibitions of mass non-violence ever recorded in history, as Webb Miller has testified in letters supplementing his dispatches in The New York Telegram, some of which have been suppressed; and this, be it said, over an area that could be bounded by Copenhagen and Rome, Paris and Moscow. "Blazing trolley cars across the street." . . . No doubt—violence provokes violence! And blazing gunfire directed against unarmed, non-resistant *Satyagrahis* in countless cities and towns; and also against *women* and *children*. (The American press has yet to give us the story of Peshawar.) "Bloodshed, chiefly among the Europeans and the police." . . . Not so. The very earliest reports disprove this completely. The most misleading of American press accounts are denials of this—unless your correspondent means that the blood has been shed *by* police and Europeans!

And now for Mr. B's explanation of all this. "Gandhi lit the thin spiritual flame . . . and others spread the ravaging conflagration." He infers that these "others" have been Indians. Some, undoubtedly have been. Non-violent warfare has its hotheads, its cowards and knaves as does physical warfare; but the overwhelming responsibility for the "terrorism" (I quote from Gandhi himself whose word is never doubted) lies with the British government in India "Deliberately to provoke violence in order to be able to suppress it" (I quote from an editorial in a New York paper) "is dangerous (and) revolting." . . . But—it has been done many times and will be again. "Gandhi called to heaven for independence; others will plunge through hell to win it." Quite correct—save that Mr. B— and I shall have to differ as to the genesis of the hell. The "battalion of Mahrattas" summoned to Bombay "to cope successfully (?) with the increased seriousness of Congress demonstrations" (June 13) will initiate considerable hell, regardless of the unarmed, non-violent, *Satyagrahis*—or soldiers of Truth-force—whose orders are "Pay for your liberty in the coin of suffering." There may be a second Peshawar, when the ranks will be filled "hour after hour . . . until bodies had to be burned"—to hide the shame, when censorship shall have broken down, completely. "Gandhi made the moral atmosphere of rebellion: others will supply the stores, barricades, revolvers and Lewis guns." . . . May I disagree? No one man made this "atmosphere"; it was created by the Rowlatt Acts, Amritsar and General Dyer; but, it has been increased by Lord Birkenhead and the Simon Commission, by events like the Lahore Conspiracy case, the death by starvation, in prison, of Jatin Das, etc., etc. "Stores?" Why have they not been drawn upon? "Revolvers and guns." Why have they not been brought into play? Our papers speak of "stones and bottles" being thrown, and the Indian papers add "sandals." Is it that Gandhi's ethics prevail—even with firearms at hand? But—I have always been told that India was an unarmed nation. Gunpowder came with the Europeans, and it completed India's subjection, we all know.

Mr. B— says that the aims and methods of "discontented" India (seething India he would better say) are divided. Was ever any revolutionary people otherwise? We had about 33 percent of Tories in our revolution, with grievances almost negligible, *as compared with those of India*. If Bishop Fisher, just from India, is right in his estimate it would be hard to find 3 percent of that sort of dissenter there today. I believe he did not include India's "Ulsters," the native states, such an unknown quantity that no estimate about them can have the slightest value at this time. Indeed, like the "Liberals" whom your correspondent calls *influential*, they are pitiably uninfluential and even more, they are the tools of those who would divide—and, therefore, rule—their land. The Liberals will make a large part of the group, so aptly described by Mr. B— as "going to London *to talk*"—the ones who have not discovered the futility of this talk in the farcical and footling Parliament, against which Gandhi long ago set his face.

But, I am transgressing on valuable space—even though I have covered but about one-third of this unfortunate article. In view of the publicity right now given the report of the Simon Commission, it is obligatory that I add another word. That shall be two-fold—this sentence from an editorial in an Indian paper of 1928 (and much more true today) which begins: "The press does well to point out that Motilal Nehru speaks for the rank and file in India when he says Sir John Simon's '*big thing*' may be a very small one from our point of view"; and my hearty commendation of Mr. H. N. Brailsford for his phrase, relative to the Simon report, that Indians "be spared the humiliation of further inquiries." I would add—and the humiliation of any further discussion of it. Mr. Nehru's closing words shall be mine: ". . . for it lies not in the province of any imperial (British) commission to give us what we desire. Liberty will come to India—even as a flower blossoms—from within."

I ask for India sympathy and the open mind. It is no credit, either to head or heart, to withhold the one or deny the other.

New York City. BLANCHE WATSON.

Attention, California Liberals!

SIR: Members of the League for Independent Political Action residing in southern California, and others interested in the project to create a new political alignment in harmony with the realities of American life, are invited to communicate with me at 528 Bradbury Building, 304 Broadway, Los Angeles. A California branch of the League is being organized with headquarters at Los Angeles. OSCAR L. TRIGGS.

Los Angeles, Calif.

Hoover's Tariff Apology

SIR: I think many readers of The New Republic would be interested in an analysis of President Hoover's statement explaining why he signed the tariff bill, which was made by H. Gordon Hayes, professor of Economics at Ohio State University, in the course of an address before the Rotary Club of Lancaster, Ohio, a few days ago.

Professor Hayes is seeking the Democratic congressional nomination in his district, and on a basis of this statement, it should do the House a great deal of good if he were to become a member.

Columbus, O. KEITH CONRAD.

[ENCLOSURE]

The statement issued by President Hoover a week ago in regard to the new tariff law is a most inexcusable document to come from the head of a great nation, and especially inexcusable

to come from one who is reputed to be a man of scholarship and scientific attainment. It can be explained as the rationalizing of a harassed man in an effort to justify the approval of a bill which was distasteful to him. But to explain it is not to justify it. That cannot be done.

In an attempt to prove statistically that the new rates are low as compared with preceding tariff rates, he first compares the total revenue collected on imports with the total value of imports, free and dutiable. Under the law of 1922, which the new law supersedes, he says, quoting the Tariff Commission, that the revenue has been about 13.8 percent of the total imports, "while if the new law had been applied it would have increased this percentage to about 16.0 percent." Thus he evidently grants that there is something of an increase in the new law, but his analysis will not bear scrutiny.

To consider the latter part of this quotation first, the aim of a protective tariff is to exclude from the country products which otherwise would have been imported, or to admit them only at higher prices. Hence, if new and higher rates are to be effective, the total imports will almost necessarily be less than they would have been under the former lower rates. President Hoover is thus most illogical in attempting to measure the new rates by assuming that they will have no effect on the volume of imports. But this is, comparatively speaking, a minor fault in his analysis.

He goes on to say of the above figure, 16.0 percent, "This compares with the average level of the tariff under—

> The McKinley law of 23.0 percent
> The Dingley law of 25.8 percent
> The Payne-Aldrich law of 19.3 percent
> The Fordney-McCumber law of 13.83 percent.

Evidently he wishes us to conclude that the new rates are much lower than the rates in most of the tariff laws that we have had. To see the amazing fallaciousness back of this reasoning, one has only to note that if the tariff rates on protected articles were made high enough there would be no importations of such articles and the tariff revenue would fall to zero. The percentage of tariff revenue to the value of the imported goods on the free list would then be zero, and according to Mr. Hoover's logic there would be no tariff rates at all!

The next point in Mr. Hoover's statement is an estimate to the effect that under the new law from 61 to 68 percent of our imports will be free of duty, while under the Payne-Aldrich tariff 52.5 percent were free and under the Fordney-McCumber law, 63.8 percent. The analysis is open to the same criticism as the preceding one. If only the rates on protected articles are made high enough, 100 percent of the imports will be free of duty. Under certain conditions, the percentages as used by the President might indicate low rates, but as the illustrations show, they might indicate extremely high rates, which is obviously the opposite of what he intends.

Not content with the foregoing use of statistics, Mr. Hoover proceeds to prove that the increases in the new law are to the benefit of the farmer. He says, "Of the increases, it is stated by the Tariff Commission that 93.7 percent are upon products of agricultural origin measured in value, as distinguished from 6.25 percent upon commodities of strictly non-agricultural origin." Apparently he means to include the increases upon shoes and woolen and cotton cloth as beneficial to farmers, and likewise the increase in the sugar duty, although only 3 percent of our farmers raise sugar and all of them use it. This aspect of the quotation is bad enough, but consider the expression "measured in value."

He obviously weights the various products according to their value, but in the case of sugar, for example, does he take the value of sugar consumed in the country or merely the value of the domestic production? The latter is the more reasonable interpretation, but even then note what we have. To take one example, corn is given an increase in duty from fifteen cents a bushel to twenty-five cents a bushel. We produced in 1929 over two billion dollars' worth of corn. This item thus bulked large in Mr. Hoover's computation. But everyone knows, or should know, that the duty on corn cannot do the American farmer any good because corn is exported. Last year we exported more than $25,000,000 worth. A little corn is imported into California from South America, and some of this may now be kept out of the country, but this will not affect the price of corn in Chicago and Liverpool. The corn tariff, along with the tariff on wheat, oats, rice, barley, hay and other export crops, is a gold brick with which the manufacturers buy the farmers' support to our tariff laws, yet the President naïvely adds in the value of corn and of the other export crops that are given increased rates in order to prove the benefit of the new law to agriculture. For the sake of the presidential arithmetic it is to be regretted that the useless rate of forty-two cents per bushel on wheat was not increased in the new law. This would have raised still higher Mr. Hoover's amazing figure of farm benefits.

After justifying the new law to the farmer, the President proceeds to count the number of items in the new law and finds that out of 3,300 items only 23 percent were increased. In this computation, the increases in sugar, shoes, textiles, lumber, paint and kitchen ware count equally with fish sounds, dried blood, turtles and spunk, which are on the free list. Such a counting of items does not throw any light on the question which the President was apparently considering, namely, the effect of the new tariff rates on the cost of living and on the general economic condition of the country.

The President lastly points to the Tariff Commission and its changed status as a means by which the tariff law can be improved. Yet the only significant change which the new law makes in this particular is to limit the power of the President. Under it he can only accept or veto a change in rate made by the Commission, while formerly he could fix the rate within a 50-percent limit, which limit still prevails.

There is not much reason to hope that the Commission will recommend lower rates or that the President would accept lower rates. The Commission is required to proceed on the basis of cost of production here and abroad and recommend changes in tariff rates so as to equalize costs. But no definition is given of cost. Does it mean cost to the most efficient producers or to the least efficient ones? If the Commission interprets it as meaning the latter, hardly any tariff rate will be found to be too high.

As a matter of record, the elastic provisions have been used almost exclusively to raise tariff rates. Indeed, in his statement Mr. Hoover makes the significant point that these provisions have been used "to bring substantial benefits to the dairying, flax, glass and other industries." President Coolidge, it will be remembered, lowered the rates on live bobwhite quail, wooden paintbrush handles and a few acids—five decreases in all; he refused to follow the Commission's suggestion that the tariff on sugar be lowered; and he raised the rates on twenty-seven articles. President Hoover has raised the duties on four articles and lowered them on none. One of these increases was the duty on window glass, which he raised 50 percent, the legal maximum permitted.

And most illogically, Mr. Hoover overlooks the simple fact that, if the Tariff Commission is adequate to make changes in our tariff laws, then he could have used it to revise the Fordney-McCumber law, if he were determined to have it altered, rather than that Congress should have devoted nineteen months to this task impeded, as he suggests, by "politics, lobbying and log-rolling."

President Hoover is perhaps also unsound in saying that the revision of rates piecemeal by the Commission will disturb business less than revision *en bloc* by Congress, for then many businesses would always be on tenterhooks. However bad a tariff law is, there is an advantage to permanent rates.

Finally, in noting the President's wish that the tariff may be removed from politics, one is forced to remember that upon him rests the responsibility for its having been in politics during the past two years. He voluntarily raised the tariff issue for campaign purposes two years ago and then allowed himself to be maneuvered into a position that compelled him to promise an extra session of Congress for the revision of the tariff. In general the tariff can no more be taken out of politics than can taxation, but we shall move in the direction of taking the worst political features out of our tariff legislation as we set our faces, as we now seem to be doing, toward lower tariff rates.

The Lost Poet of Georgia

Thomas Holley Chivers: Friend of Poe. A Strange Chapter in American Literary History, by S. Foster Damon. New York: Harper and Brothers. 305 pages. $5.

THOMAS HOLLEY CHIVERS, known for two generations as the "lost poet" of Georgia, was born in the town of Washington, in that state, on October 18, 1809. He died in Decatur on December 9, 1858, six years before the March to the Sea rooted up a society in which, as a gentleman born, he had an easy place, but in which, as a man of letters, he never felt at home. After he had moved to Decatur, a citizen of Washington wrote that "he was a strange man, and here where he was born and reared, he was considered crazy." He was educated in medicine at Transylvania University in Kentucky, at that time the best college in the South, and up to about 1836 quite as good as Harvard or Yale; but he never practised his profession. An early, unhappy marriage, which suddenly ended as a result of some obscure libel on his character that his bride and her family believed, intensified the sense of isolation, the "craziness," that probably would have developed naturally, if not excessively, in any romantic poet of that age.

For years he was a wanderer, and he spent much time in New England, where he took a second wife. The New England renascence was coming on as he reached manhood, and he found the rich mercantile society of the East more hospitable to writers, less disposed to think them useless and queer, than the planting aristocracy, which occupied itself mainly with politics (being on the political defensive), with gaming and fighting, with extreme Protestantism and with the novels of Sir Walter Scott. He liked the "urbanity" of Massachusetts, and hoped that Georgia would have it some day. Yet in the end he returned to Georgia for good, and his last years were given up to a rancorous controversy with the defenders of Poe, who held that Chivers had stolen his best lines from the master. Their case looked damaging; Poe's poems had appeared first; what his apologists did not know was that Chivers' poems had been written first and that Poe had read the manuscripts. But Chivers' prestige suffered. And then he died, just seven years before the collapse of the South discredited all things Southern and finally sealed his obscurity.

"Had he been of the North," says Mr. Damon, "the literary coteries would have pruned and preserved him." He wrote an immense quantity of verse, most of which he published at his own expense. His first book, "The Path of Sorrow; or, Youth's Lament," very bad poetry in which he complained of the libel that had recently broken up his marriage, was issued at Franklin, Tennessee, in 1832. It was followed, in the next twenty-six years, by seven volumes of lyrical, narrative and "philosophical" poetry, besides two poetic plays. His first play, "Conrad and Eudora," was based on a sensational murder committed at Frankfort, Kentucky, in 1825; it was good drama but badly written. His other play, "The Sons of Usna," is the first dramatization of the Irish legend of Deirdre. He also published, in pamphlet, "The Search after Truth," a prose mixture of Swedenborgianism, Transcendentalism and Theosophy, which contains passages of considerable insight into the art of poetry.

His books sold very poorly; he usually bought most of an edition for himself, to give to friends for Christmas. But his verse circulated widely in newspapers and magazines—in spite of his arrogant letters to the editors. One journal, however, The Southern Literary Messenger, remained obdurate; from beginning to end it turned his work down and reviewed his books unfavorably. This magazine and De Bow's Review of New Orleans, an economic and political sheet that used little or no poetry, were the leading journals of the South. Here, too, Chivers was ignored at home.

Perhaps he was jealous of Poe; perhaps he fortified his jealousy with the certain knowledge that Poe had pilfered many of his best lines and rhythms. At any rate, in the controversies of his last years, he had much justice on his side. Mr. Damon argues conclusively, with evidence and insight that should settle forever the Poe-Chivers question, that Chivers was more stolen from than stealing. This distinguished, scholarly biography is, in fact, a defense of the independent reputation which is Chivers' due. It is unjust that he should be remembered as an episode in Poe's career, that his interest should be confined to Poe's biographers and to those curious men who tinker with the false issues of plagiarism. It is unjust that he should be remembered as the pretender, the guilty poet who had stolen what was good in his work from Poe, and who had not scrupled to attack Poe's posthumous fame in order to attach himself to it.

His fault was of a different order. It lay in his failure to see that there is no patent office for the protection of literary inventions, in his failure to understand that they are common property belonging eventually to the poet who brings them to the highest perfection. Chivers, according to Mr. Damon, carried further than any poet up to his time certain musical effects of verse, and used for the first time systematically that substitution of one order of sense perception for another which has become a general characteristic of modern poetry. But he did not perfect his discoveries in great poems; they remained fragmentary, or exaggerated and mawkish, botched by some defect of taste. Poe, with unerring instinct, took from Chivers what he could use, perfecting it and making it his own. The question of plagiarism, as it is brought up by Poe and Chivers, does not exist.

Moreover, between these spiritual outcasts of the last century there was a deep sympathy, a similarity of temperament that made them susceptible to the same influences and ideas. They illustrate perfectly the mysterious way in which the spirit of an age will prompt men separated by space and worldly interest to think the same thoughts and to discover the same art forms. Beyond a certain point, we shall never know to what extent the reciprocal stealing was simultaneous invention. We may say roughly, with Mr. Damon, that Poe had more talent than genius, that his powers in verse were intensive, bringing a great technical skill to a limited range of perception; he was admirably fitted, like the author of "The White Devil" and "The Duchess of Malfi," for reworking and perfecting the raw materials of other poets. Chivers, on the other hand, had little constructive power; his poetry is overwritten or underwritten, ill proportioned, muddled in feeling; but it is full of new rhythmical effects, new certainly in 1850, and magnificent inventions of imagery that come from the text stillborn, their significance being lost on the poet himself. He was a poet of great genius, with almost no talent at all.

Mr. Damon does not push his claims for Chivers too far: this biography is singularly well balanced and sane. (If there is any fault to find with it, it is the thinness of its social background; the author apparently knows little

and cares less about the society that produced Chivers; his graciously patronizing attitude towards it better becomes an Eastern contemporary of his subject than a modern scholar enlightened, supposedly, by a new generation of historians.) His claims are actually so modest that he tells us to select rigorously from Chivers if we hope to give him a reputation outside the specialists in verse: one can sympathize with Mr. Damon's painstaking analysis of the arid stretches, and they are long, in the ten volumes of Chivers' poetical works. But the pure gold lost there should be salvaged. It is to be hoped that the biographer will turn editor and give us the best of a poet who influenced Poe, Rossetti and Swinburne; who must now share, with Poe himself, the fame of having instructed, though indirectly, the French Romantics and Symbolists; a poet who contributed much to the poetic temper of our own time.

ALLEN TATE.

The Approach to Esthetics

The Philosophy of Art, by C. J. Ducasse. New York: Lincoln MacVeagh, The Dial Press. 314 pages. $3.50.

IF ONE chooses to regard Professor Ducasse's book as a fable, it may be said to have a very valuable moral. The characters and plot of this fable are chosen from the ordinary problems of esthetics—meaning, expression, feeling, beauty, tragedy and the like—but the moral, which is not expressed and must be drawn by the reader himself, touches the more fundamental, though seldom discussed, problem of how the whole subject of esthetics should be approached. It is because we have not discussed it that esthetics has become the public scandal of the scientific world for wasted effort, unsupported dogmatism and lack of coöperation.

Most recent American works on esthetics have been so vague and muddled that it has not been easy to assess the value of the methods, if any, by which they have been produced. But here is a book by a man who knows exactly what he wants to say and can say it with clarity, intelligence and force. If one detects errors in it, it seems reasonable to charge them to his method rather than to the mind behind it.

Professor Ducasse's method, as his title implies, is philosophical, and the philosophical method consists essentially in the construction of a rigorous system of definitions. Now definition is, in plain words, a sort of intellectual sausage-slicer which may be used to reduce a subject to definite, manageable cross-sections; but there are topics for which such treatment is contra-indicated, and I believe that esthetics is one of them. One cannot study the life of a delicate marine animal with a microscope, nor construct a physiology with definitions of lungs, heart, liver and a gland or two.

In esthetics, philosophy undertakes, first of all, the task of dissecting out some entity which may be sharply differentiated from play, work, science, religion and dreams, yet does not differ widely enough from what the ordinary man regards as art to raise an outcry. By eliminating beauty from his concept of art Professor Ducasse manages to slice it a little thinner than any of his predecessors. As philosophy, it is a great and original achievement; but as esthetics, one may be permitted to hope that it is the *reductio ad absurdum* of the philosophic method.

Professor Ducasse bases his new definition of art on his discovery that some works of art are only occasionally beautiful and others not at all. Routine procedure in philosophy demands that if a given factor is absent from any member of a class, that factor must be eliminated from the definition of the class, so out beauty goes. Art is "the objectification of feeling," and nothing more. Common sense might regard art as a sort of organization of consciousness which contains certain factors at one moment and others the next, but philosophy could never descend to such a slipshod compromise. Common sense, too, might ask a number of troublesome questions. Can any work of art be completely and permanently ugly, or is ugliness only a new costume in which beauty occasionally chooses to appear? Why not ask a few artists or connoisseurs whether beauty is an integral part of art, or only an accessory? Or if, as Professor Ducasse says, the creation of beauty is "mere skilled work," what reason is there, except an arbitrary definition, for saying that "the objectification of feeling" is anything else? Or if the touchstone of art is personal feeling, why are lyric and dramatic poetry accorded essentially equal rank? But, fortunately for philosophy, it does not need to prove its dicta. Its task is complete when it has arranged them systematically.

From the other side of art Professor Ducasse lops off meaning. It is not so shocking an operation as the amputation of beauty, but technically it is a more serious one. Meaning is such an extraordinarily comprehensive and flexible word. One can subsume under it beauty (the innate meaning of pure form), representation (the material associative meaning of a form), feeling (the immaterial associative meaning) and probably any other factors that one wishes to include. One might naturally think that Professor Ducasse, with his great interest in art as language and expression, would choose meaning instead of feeling for his master concept, but, falling into the fallacy for which he has just reproved Croce, he treats it as synonymous with "ideas" and rejects it with little discussion. Probably the broader, more flexible meaning is repugnant to the philosophical spirit, which never works with a spectrum when it can substitute black and white.

There is another important reason for distrusting philosophy as a tool for investigating art. Its influence on the esthetic judgment of its practitioners is, if we may trust the voluminous printed evidence, insidiously bad. Professor Ducasse is a partial exception. His native responsiveness to art is obviously keen, and many of his observations are shrewd and subtle. In fact, I should like to write a supplementary review celebrating the many incidental virtues of his book. Yet he is capable of uttering such blindness as, "Any design which fulfills well its task of holding the attention within the picture and guiding it appropriately to the objects of essential significance therein, is *eo ipso* proved to be intrinsically as good as it should be," and, "To praise a picture for its composition is the same as to praise a book for its grammar," and his declaration that our pleasure in tragedy comes from a consciousness that we are acquiring a wisdom which will make life in the future less fearful and pitiful. Something has apparently robbed him of the full esthetic development which was his normal heritage, and I am inclined to place the guilt on his habit of philosophic thought. (Religion has often played a similar trick on other sensitive spirits.)

I am convinced that the problems of esthetics cannot be solved by any philosopher in his spare time. The study of art is a full-time, lifelong job. And I might go further and suggest that its problems will never be solved by any ready-made methods borrowed from any other field of

knowledge. Success is most likely to come to those who not only know art well, but know her well enough to let their solutions shape themselves in her own image.

The book has no index, and it is my guess that Professor Ducasse believes that when one has treated a subject in proper systematic form no index is needed.

CARL THURSTON.

Fighting It Over

Her Privates We, by Private No. 19022. New York: G. P. Putnam's Sons. $2.50.

Generals Die in Bed, by Charles Yale Harrison. New York: William Morrow and Company. $2.50.

War Is War, by Ex-Private X. New York: E. P. Dutton and Company. $2.50.

Medal Without Bar, by Richard Blaker. New York: Doubleday, Doran and Company. $2.50.

Retreat, by G. R. Benstead. New York: The Century Company. $2.50.

THE NOVEL is the only medium through which the truth about war can be told. On the face of it, the cinema should be far better, but compliance with the demands of public taste forces the cinema to fatal mitigations of the truth. Thus, it must stress the "human side" of war —usually, that is, the humorous side. Even so sincere a picture as "All Quiet on the Western Front" makes this emphasis. As for the stage, two ambitious war plays have shown how the conventional dramatic form fails to tell the truth. A public divided in its feelings between a humanitarian dislike of war and a necessitarian acceptance of it, acclaims "What Price Glory?" and "Journey's End" as perfect expressions of the truth about war. These plays were said to be damaging indictments. And explicitly they do indict. Implicitly, however, they glorify war. They use realistic terms for suffering and death, but the objectivity of the dramatic form steeps these things in a stern, sweet glamor—the tragic glamor. In drama, the result of tragedy and death evidently must be tragedy, which, we have been taught, is clean and beautiful.

The novel does not have the disabilities of the cinema and the drama. It is not necessarily controlled by public taste. Its emotional terms are not fixed and it does not impart to the confusion of war the factitious formal serenity of beginning, middle and end in three acts. Its canvas is unlimited and it can be as subjective as it likes, can show the disintegration of the individual, not by the stupid symbols of drunkenness and irritability as in "Journey's End," but fully and significantly. True, precious few novels have done what they might do, and most war novels are negligible, even detestable. Of the random batch of five under review, only two—"Her Privates We" and "Generals Die in Bed"—have any real excellence.

"Her Privates We" renders war as a way of life. It is late in the War; the frenzy has gone out of it, even much of the fear. The business has been routinized, the men acclimated. Incidents and the raw emotions about them are no longer so sharp and important, and personality begins to emerge—in short, a new civilization has been built, a civilization of war. Necessarily, horror and suffering are relegated to the background: there is no explicit hatred of war in "Her Privates We." But implicitly it contains one of the keenest and most devastating indictments ever made: the fact that men can settle into war as a way of life and lose (save momentarily, as one rebels against any life) their hatred of it. It is a fine book and it is a pity that its restraint is too likely to hide its meaning.

"Generals Die in Bed," by Charles Yale Harrison, is a fresh, downright piece of writing, unpretentious but thoroughly efficient. It is full of anger and disgust, not frenetic, but intensified by the clarity of a sane recollection of an insane hoax. Its descriptions of horror and suffering are excellent; but perhaps its most telling incident is one not of personal misery but of political fraud. Before an attack, the brigadier-general addresses the men, tells of the sinking by the Germans of the hospital ship, "Llandovery Castle," and of the death of nurses and wounded men. Enraged by the story, the men act upon the general's hint, refuse to accept the surrender of unarmed Germans and bayonet hundreds of them. Later it is learned that the "Llandovery Castle" was a cargo boat.

Similar in approach to "Generals Die in Bed," "War is War" is full of terrible detail. Unfortunately, its effect is spoiled by the whine and the ineffectual personal malice that fills it. One has not the right to judge the emotions with which a man emerges from horror, but when one reads many sentences in the tone of "I have still some ideals —or I had before they made a beast of me . . ." one feels sure that the writer's present temper was not, as he would imply, caused alone by the horrors of war, and one is less inclined to give credence to his description of these horrors.

"Medal Without Bar," by Richard Blaker, gives an honest and dull account of those Englishmen for whom the War was a job which, as "full-grown Samurai," they did well. The hero's emotions are almost entirely confined to the desire to do his own job and a hatred for the incompetent. "Retreat," by C. R. Benstead, is a respectable but not very important story of an Anglican padre who loses faith and life at the front. It is a thoroughly honest book, genuinely moving at many points. LIONEL TRILLING.

The Jesuits

The Power and Secret of the Jesuits, by René Fülöp-Miller. New York: Viking Press. 523 pages. $5.

THIS IS a lively and informative book on what the publisher's blurb calls, quite inaccurately, "the greatest secret society in history." There was never anything particularly secret about the Society of Jesus. The ambiguous or illicit aura which haloed the Fathers, at least in sixteenth-century England, was wholly due to the circumstance that the person of a detected Jesuit was invariably made the subject of certain gentle and instructive experiments on the part of good Queen Elizabeth's talented torturers. For what dark and nameless offense against British and Anglican society? it may be asked, and in the answer will be found the whole secret of the Jesuits. Their order was founded to witness devotion to a moribund papacy by reclaiming Protestant countries to the ancient Christian faith of Europe. In this connection, at least, their history, during the first hundred years of their existence, was at once heroic and painful to consider.

Herr Fülöp-Miller devotes only a few pages of his vast book to their struggle against the Elizabethan *polizei*, the rest of the volume being given up to the life and psychology of Ignatius Loyola, Father-Founder of the Order; to curious adventures of the Society in the Orient, in South America and along the Great Lakes; to its influence in European politics, education, architecture, painting, the

theater and even the ballet; and very particularly to the new-fangled Jesuit morality, once the subject of such prolonged and passionate controversies. The basis of this morality, be it said, may be discovered in the celebrated "Exercises," composed by Inîgo Loyola, some twenty years before he founded the Society. There seem to be striking differences of opinion in regard to this arid *vademecum* to the better life. Michelet, for whom the Jesuit was the concealed nigger in nearly every historical woodpile, calls it "a dry little manual, formed to aid the sterile imagination of a fool, entrusted with the education of fools." Herr Fülöp-Miller, however, whose pages are redolent with names unknown to Michelet—the names of Freud, Jung, Watson, et cetera—remarks of the "Exercises" that "even though the modern psychologist will regard their medieval representations as antiquated, he will be unable to withhold admiration from the deep psychological knowledge with which understanding, imagination and will have been made to coöperate therein."

What was novel and unorthodox in the Jesuits' ethic was precisely that they emphasized the human will. Very debonairly they abandoned, or ignored, what was Calvinistic and discouraging in the teachings of St. Paul, Augustine and other grand moguls of the primitive Church. Even the man in the street, they taught, is quite capable of apprehending the Divine Vision; all that is necessary is willingness, to be achieved through an almost medical adherence to the spirit and method of the "Exercises." This idea, as applied to religion, was decidedly revolutionary in the autumn of the Renaissance. Other ideas, even more modern, may be found in Ignatius. "In his morality," the author writes, "God appears as a militant king fighting for his kingdom and turning to man for aid in the great battle against organized evil." The comparative adjective in the Jesuit device *ad gloriam majorem Dei* has a true ethical significance.

Naturally the newly Protestantized world was up in arms against a system which made Christianity a yoke that was easy, a burden that was light, and there were notable reactions against the Jesuit ethics in the bosom of the old Church as well. There opposition to the Fathers centered in the melancholy hermitage of Port Royal, near Paris, "a dreadful valley," writes Madame de Sévigné, "just the place in which to find salvation." At first the two parties seemed evenly matched, and into the struggle went all the refined passion, the intense seriousness, with which the French treat their intellectual and moral controversies—the controversies, for example, over "Hernani," over Dreyfus, over Dada. The Jesuits had the government on their side, but, as usually happened under the old regime, the government and the court—that is, fashionable society—were divided; and the latter, from motives of the purest snobbery, took Port Royal under its wing, or rather under its skirts. All the prettiest women with pasts during the Fronde declared themselves adherents to the doctrine of Restricted Grace, and asserted that the Five Condemned Propositions were not to be found in Jansen, whom nobody had ever read. Port Royal seemed invincible after it had acquired both Pascal and Racine. The former got the laughers on the side of his melancholy friends, while the magnificent dramas of Racine are like rays serene of the purest Jansenism; that is to say, Calvinistic and classic in their motivation. "God who knowest that we have no power *in ourselves* to help ourselves" is a subtitle which serves for them all. Though the Fathers were quite unqualified to give as good as they got, the Absolute Monarchy, which always confessed itself to a Jesuit, intervened, and Port Royal is today a man-made ruin, in spite of laughter, austere virtue and inspired genius.

Herr Fülöp-Miller makes a good job of his account of this diverting controversy. Indeed the absence of generalization, the veritable impartiality of his book, does credit to an historian who evidently respects himself and his subject. We can only recall one shadow of an error, and that is merely a question of phrasing. Louis XV said to Choiseul, according to Fülöp-Miller, that he could very well indulge in such pastimes "without going to hell for it." What Louis XV actually said is slightly more piquant: "Depend upon it, Duke, God is too much of a gentleman to damn a man like me for a little harmless pleasure." There are people who will tell you that this convenient morality is characteristically Jesuit. In his excellent book, Herr Fülöp-Miller does justice to the usual severity of the Fathers to their royal clients. CUTHBERT WRIGHT.

A Reliable Madman

A Gentleman Rebel: The Exploits of Anthony Wayne, by John Hyde Preston. New York: Farrar and Rinehart. 370 pages. $5.

Mad Anthony Wayne, by Thomas Boyd. New York: Charles Scribner's Sons. 351 pages. $3.50.

"YOU HAVE established the national character of our country," wrote Benjamin Rush of Wayne's intrepidity and humanity at Stony Point. An ironical statement, in view of what happened a few days after the storming. For when Clinton came up, the Americans tamely evacuated the works. The theater of war was shifting. In other words, Wayne's masterpiece of technical brilliance was applied to an object that turned out to be not worth having.

This exploit gave Wayne his immortality, and bore more immediate fruit in a stiffening of the American morale; but it has obscured his career as a whole. Despite his optimism and vanity, he was throughout its duration one of the ablest commanders of the war. Washington once acidly remarked that he was a brave general and nothing else, an injustice which His Excellency's own conduct exposes. For again and again the harassed chief turned to the fiery brigadier of the Pennsylvania line; often for his dauntless courage, but sometimes when even rarer qualities were needed. "Whom can we trust now?" the great man cried as he learned of Arnold's treason. It was reliable Mad Anthony he sent for. "Loyal, resourceful, untiring," sums up Mr. Boyd, he was "popular with whatever troops he commanded" (this despite the strictness of his discipline), and "amiable and tolerant in peace as he was violent and intractable in war." A decade after the Revolution, he returned to the service as commander-in-chief, on President Washington's appointment. His conquest and pacification of the Indian tribes between Detroit and the Ohio were a solid contribution to the winning of the West.

Since these books appear when the misguided activities of certain "patriotic" societies predispose some liberals to hail with an unholy glee any visible tarnish on the haloes of their Revolutionary heroes, it is pleasant to learn how enlightened Wayne's Whiggery was. He was active in promoting post-war toleration for the Tories and the Quakers in both Pennsylvania and Georgia. He battled against the wowsers of his day for the freedom of the theater. One could not imagine his not caring for the stage: his letters are full of Shakespearian allusions and phrases. There was more than a trace of the actor about him: certainly

he could not resist dramatizing himself, and he had the actor's love of costumery. Hotspur, I should guess, must have been his favorite character. But if he was the most offending soul alive, it was honor he coveted, not reward. He could not stoop to jobbery. And so he was still a brigadier at the close of the Revolution. He was also an honest man, which could not be said of all the major-generals. And he was a great servant of the United States.

Both of these books about him make lively reading. Mr. Preston's, which is handsomely illustrated, is the more sumptuous. Both provide indexes and bibliographies. Of the latter, Mr. Preston's is the more extensive and more discriminating, and he has made more of Wayne as a man. He, too, dramatizes the subject a little. While his hero is not without blemish, all Anthony's enemies are villains, and there is even a heroine, Molly Vining, Wayne's last and greatest love, though she is not mentioned by Mr. Boyd, who generally rests content with the military figure. As far as he goes, Mr. Boyd does the better job; but Mr. Preston goes farther, especially into Wayne's private life and the background of army politics. On the other hand, Mr. Boyd writes with incomparably greater ease and skill, and expounds the battles more clearly.

HAZELTON SPENCER.

Notes on Novels

The Man of God, by Count Edouard von Keyserling. New York: The Macaulay Company. $2.

The Royal Woman, by Heinrich Mann. Translated by Arthur J. Ashton. New York: The Macaulay Company. $2.

THESE names may be coupled, from the standpoint of their American celebrity, as those of the "kid" brothers of two familiar German writers. Both of the above men, however, were born earlier than the namesakes who first won our attention. And both the lesser known Herr Mann and the lesser known Graf Keyserling are novelists. There ends the similarity between them.

For Edouard von Keyserling is unquestionably the superior of the two—in fact among the fictional artists of today he has few equals. The present novelette was first published in 1908 under the title "Dumala." For its like in aristocratic classicism, in elegant simplicity of line, in conscious mastery, in wit and poise, one would have to go as far back as Pushkin. The situation is somewhat akin to that of the lyric "Lady Chatterley's Lover": there is a nobleman with disabled legs and a beautiful adulterous wife. The hero, however, is not her lover but a tormented churchman who longs to be—an uncommonly robust pastor who is obliged to witness her affair with another, who is physically able to crush his rival, who is given a chance to murder him, and almost avails himself of it. The locale—a Baltic province in winter—is especially memorable. No single aspect of the story, however, either atmospheric, moral, social or psychological, is emphasized at the expense of any other; and it may be this restraint, which contributes so much to its artistic excellence, that robs the story of "modern" significance.

On the other hand, if Heinrich Mann may be said to represent "experiment," as has been claimed for him, then he is far less interesting. But as a matter of fact, his work has no relation to the valuable experiments that have been made in this century, and should not be thought of in connection with them. This best-seller of his is no improvement on the American of the species. Its method is singularly sketchy and insubstantial. For some time a rumor has been afloat that Heinrich Mann bears comparison with his sterling brother. This rumor should be spiked. His book is shoddy and of little consequence. G. S.

Years of Grace, by Margaret Ayer Barnes. Boston: Houghton Mifflin Company. $2.50.

IN "YEARS OF GRACE" Mrs. Barnes has written a substantial and satisfying piece of fiction, substantial in the large and immediate sense of life which it conveys, and satisfying in the sureness of its procedure, the rightness of its effect. In material it is the chronicle of a family in Chicago extending over some forty years, centering about the character of the heroine. In this respect it is completely "written." The background is developed in its solid bourgeois quality, without a hint of the strain or overemphasis to which Chicago unhappily so often lends itself. In theme, also, it is technically a family novel, depending for pattern on the clash of standards and manners between successive generations. What distinguishes Mrs. Barnes from many other practitioners, however, is her impartiality. She holds no brief for plaintiff or defendant. Her use of the old theme is purely esthetic; it is the force which carries the book forward easily and inevitably, the test to which the characters respond—especially the heroine, Jane Ward, who genuinely lives the experience of advancing time, and so suffers and understands. It may be said that the other characters are too much in the flat, but there is a nice sense of perspective in their recession from Jane's point of view. Through the play of advancing time upon human life, in major or minor tones, in accelerated or retarded tempo, the book has something symphonic in its structure—the lively allegro of Jane Ward's girlhood and girlhood love, the adagio of her marriage to Stephen Carver of Boston, the scherzo of her temptation to cut loose from her staid generation and join the younger one, the finale, with the theme of Jane Ward in C major dominant, carrying the final message of experience—reconciliation.

R. M. L.

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